

IN THE MATTER OF THE APPLICATION OF
CHARLES BOGDANOVICH FOR A SPECIAL EX-
CEPTION AND VARIANCE ON PROPERTY LOCATED IN THE
NORTHWEST SIDE OF EASTERN AVENUE,
NORTHEAST CORNER WILTSHIRE ROAD &
EASTERN AVENUE (220 EASTERN AVENUE)
15TH ELECTION DISTRICT
5TH COUNCILMANIC DISTRICT

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. 89-176-XA

OPINION

This is an appeal from the decision of the Zoning Commissioner for Baltimore County dated December 6, 1989 denying Petitioner's request for special exception to permit a gasoline station with a convenience store facility and an in-bay car wash building on the subject property; and certain variances for front and side yard setbacks. Petitioner has informed this Board that it is withdrawing its request for variances which are no longer required due to the filing of an amended revised site plan. The request for variance will not be considered by this Board.

This appeal is de novo and the Board's decision is based upon the evidence and testimony presented at the hearing of this matter on August 24, 1989.

Several witnesses appeared on behalf of the Petitioner: Richard Truelove, a registered Professional Engineer, Charles Bogdanovich, a project manager with Amoco Oil Company, David Flowers, of Environmental Protection and Resource Management, Kimberly Pfeiffer, Robert Morris, a traffic expert, and Bernard Willemain, an expert in planning, land use and zoning regulations.

Two Protestants appeared at the hearing: Joseph P. Sweet, a neighbor residing at 33 Wiltshire Road, and Bill J. Jaeger, owner of a nearby 7-11 store. Deputy People's Counsel, Peter Zimmerman appeared and participated in the proceedings.

The subject property, known as 220 Eastern Avenue, is located on the north side of Eastern Avenue between Wiltshire Road and Berkshire Road, in the Eleventh Election District of Baltimore County. It is zoned B.R.-CSA and is currently an existing Amoco Oil Company service station. It is located in the Baltimore County

Case No. 89-176-XA
Charles Bogdanovich

Chesapeake Bay critical areas and also in the Essex revitalization district. An amended revised site plan dated August 15, 1989 was submitted to the various County reviewing agencies and departments and was offered by the Petitioner in these proceedings (Petitioner's Exhibit No. 1). It provides for the razing of all existing structures and the construction of a convenience store, a car wash and realignment of the pump stations with driveway access at four locations; two on Eastern Avenue, and one on Berkshire Road and Wiltshire Road. The presently existing sign structure will remain at its present location according to the plan.

The Petitioner's revised site plan was prepared by Richard Truelove, a registered Professional Engineer, who provided testimony to the Board regarding the plan and offered several photographs (Petitioner's Exhibit No. 2) showing the present facility in its present condition. He described from the plan the location of the proposed convenience store, the gas station pumps and the in-bay car wash. He further provided testimony as to the interior pattern of traffic flow and the newly proposed driveway accesses to Eastern Avenue, Berkshire Road and Wiltshire Road. It was clear to the Board from the photographs offered showing the present condition of the property and the proposed changes to be made that the site is going to be significantly improved and substantially more attractive to the community.

Mr. Charles T. Bogdanovich, project manager for Amoco Oil, testified the property was purchased by Amoco in 1980 and its present use is a service station. A special exception for service garage was granted in 1955 by the Zoning Commissioner for Baltimore County (Petitioner's Exhibit No. 10). He informed the Board that there are presently 19 Amoco facilities in the State of Maryland similar to the proposed facility and four of them are located in Baltimore County. The proposed car wash would be a self-service, coin operated type operation and the estimated time of wash per car would be three minutes. He stated the proposed

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Charles Bogdanovich

gasoline and convenience store would be located near the center of the site with gasoline pumps located on each side. The store would contain an office and storage area and one-half of the building would be for retail sales. Products sold would be items such as cigarettes, sodas, snacks and dairy products and no food would be prepared on the premises. The proposed hours of operation would be 24 for gasoline sales and he was willing to limit the car wash hours from 7:00 a.m. to 10:00 p.m. daily. He informed the Board that from prior projects in Baltimore County of this nature, he was quite familiar with the zoning regulations and requirements of Baltimore County and particularly with Section 405 relating to service stations and Section 502.1 concerning special exceptions. It was his opinion that the proposed plan to improve the existing facilities, to add a convenience store and a car wash would be an asset to the area and would not have any adverse effect on the community.

Mr. Robert L. Morris, a traffic expert, testified for the Petitioner and offered a written traffic analysis (Petitioner's Exhibit No. 8) concerning the proposed plan and how it would affect traffic conditions in the area. He stated that both adjacent intersections to the site were current "A" level and the improvement would not affect the current level. His analysis estimated approximately 400 more vehicles would be entering the site on a peak day. However, these vehicles would be making right turns in and out, travelling westbound on Eastern Avenue and would cause no traffic congestion. In his experience, he felt that such vehicles stopping at the site are stopping as part of another trip purpose (on the way to work, for example) and are known in the traffic engineering profession as "zero trip producers". He concluded that the proposed improved service station would be both appropriate and desirable from a traffic engineering viewpoint.

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Charles Bogdanovich

In addition to the above testimony, Petitioner offered comments from the Office of Planning and Zoning, the Department of Environmental Protection and Resource Management and Economic Development Commission. Each of these departments support the Petitioner's request in these proceedings (See People's Counsel Exhibit No. 1 and Petitioner's Exhibit Nos. 5 and 6). With regard to the property being located in the Baltimore County Chesapeake Bay Critical Area, and being classified as an intense development area, the Petitioner offered the testimony of David Flowers who informed the Board that Petitioner's property was in compliance with the requirements of Critical Areas legislation as set forth in Section 500.14.

Concerning the property being located in the Essex revitalization district, the Board received correspondence dated August 21, 1989 from Daniel R. O'Donnell, Executive Director of the Essex Development Corporation (People's Counsel Exhibit No. 2). In this letter, Mr. O'Donnell urges this Board to permit the Petitioner to redevelop the property and states that the Petitioner's improvements on the property would result in "significant value" to the Essex community.

Mr. Bernard Willemain, an expert in planning, land use and zoning regulations, whose qualifications have been previously accepted by this Board, also testified as to the appropriateness of the proposed plan and with particular regard to the conditions of Section 502.1 of the Baltimore County Zoning Regulations (BCZR), which must be met for the granting of the special exception. The factual testimony of Mr. Willemain was mostly cumulative to that of the other witnesses testifying for the Petitioner. He informed the Board that he had reviewed the plan and was familiar with the favorable comments made by various County departments. It was his opinion that the project would significantly improve the area and that the requirements of 502.1 of the BCZR were clearly met.

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and he was aware of no adverse effects that this project would impose upon the community.

Two Protestants appeared at the hearing in opposition to the project. Mr. Bill Jaeger testified that he owned a 7-11 store nearby and objected to another convenience store in the same vicinity on the basis that it was not needed and that there were already enough businesses in this general area. It is the opinion of this Board that Mr. Jaeger's objections are based upon his own economic interests as a competitor and that such an objection is not a proper or justified reason for denying Petitioner's request for special exception. Also appearing at the Hearing was Joseph P. Sweet, an adjacent resident to the site who did not offer any testimony for the Board's consideration.

Pursuant to the Baltimore County Zoning Regulations, the Petitioner is entitled to the proposed uses in a B.R.-CSA zone. The uses are not permitted as a matter of right, but by special exception provided the Petitioner meets the requirements and standards set out in Section 502.1 of the BCZR and further establishments that the proposed uses would not have an adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Fritz, 432 A2d 319, (1981).

This Board has reviewed all of the evidence presented and finds that the Petitioner has met the necessary burden of proof to show that the proposed plan and uses meet the prescribed standards and requirements of Section 502.1, the evidence does not establish or support a finding that the proposed uses would be a real detriment to the neighborhood, or would adversely affect the public interest. In fact, based upon the testimony of the witnesses and the comments of the various County departments, the evidence establishes that the redevelopment of this site would result in an improvement to the community.

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Charles Bogdanovich

For the reasons stated above, it is the opinion of this Board that the request for Special Exception should be granted and will so order.

ORDER

It is therefore this 14th day of November, 1989 by the County Board of Appeals of Baltimore County ORDERED that the Petition for Special Exception for a gasoline station with a convenience store facility and an in-bay car wash building on the subject property be and the same is hereby GRANTED subject to the following restrictions:

1. That lighting adjacent to the residential area should be positioned to eliminate possible illumination of homes and the height of all lighting structures should be limited to 12 feet in height.
2. That hours of operation of car wash and vacuum are limited to between 7:00 a.m. and 10:00 p.m. daily.
3. That architectural elevations be submitted to ensure site compatibility.
4. That since the site is located in a revitalization area, streetscape should reflect the revitalized Essex area.
5. That there shall be compliance with all comments submitted by the Baltimore County Departments in these proceedings, which are adopted, in their entirety, and made a part of this Order.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Lawrence E. Schmidt, Acting Chairman
Michael B. Sauer
Harry E. Buchmeister, Jr.

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCE - NW/8 Eastern Avenue, NE/Corner Wiltshire Road and Eastern Ave. (220 Eastern Avenue) 15th Election District 5th Councilmanic District Charles Bogdanovich Petitioner

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 89-176-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a special exception to permit a gasoline station with a convenience store facility and an in-bay car wash building on the subject property; and variances to permit a front yard average setback of 36 feet for the gasoline station and convenience store facility in lieu of the required 38 feet, a front yard average setback of 34 feet for the car wash building in lieu of the required 37 feet, and a side yard setback of 5 feet for the car wash building in lieu of the required 30 feet, as more particularly described in Petitioner's Exhibit 1.

The Petitioner appeared, testified, and was represented by Joseph K. Pokorny, Esquire. Also appearing on behalf of the Petition were Joseph and Doris Hoffmann, residents of the area, and Richard Truelove, a registered Professional Engineer. The following individuals appeared as Protestants: Bill J. Jaeger, Kenneth Robbins, and Joseph P. Sweet.

Testimony indicated that the subject property, known as 220 Eastern Avenue, is zoned B.R.-C.S.A. and is currently improved with an Amoco Oil gasoline service station. Petitioner proposes expanding the current operation to include a combination gasoline station and convenience store facility and a separate in-bay car wash building on the subject property in accordance with Petitioner's Exhibit 1. All existing structures are to be razed.

The testimony and evidence presented by Petitioner and his witnesses was insufficient to support the requirements of Section 502.1 or Section 307. Although Mr. Truelove testified that in his opinion the requirements of said sections would be met by this project, there was no testimony or evidence presented in support of the requested variances, or proof of any hardship that might result if the variances were denied. In addition, the entire site lies within the Baltimore County Chesapeake Bay Critical Area and is classified as an intense development area. There was no testimony or evidence presented to support the requirements of critical areas legislation as set forth in Section 500.14. There was no evidence that the proposed use could not be constructed at another location. Clearly, the site would be overcrowded by the car wash facility. Further, it appears that the site does not provide proper landscaping.

The Protestants testified that they do not want another gasoline service station and convenience store facility in the area and are opposed to a car wash so close to the street. Mr. Jaeger testified he owns a nearby 7-11 Store and indicated there are too many business within the same block on Eastern Avenue. Further testimony indicated the Protestants would prefer more landscaping than that proposed and better lighting.

It is clear that the B.C.Z.R. permits the use proposed in a B.R.-C.S.A. zone by special exception. However, it is equally clear that the proposed use would be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

After reviewing all of the testimony and evidence presented, it appears that the special exception should not be granted.

3/22/89 -Following notified of hearing set for Wednesday, July 5, 1989 at 10:00 a.m.:

Charles T. Bogdanovich
Joseph K. Pokorny, Esq.
Mr. and Mrs. Joseph Hoffman
Richard Truelove
Mr. Bill J. Jaeger
Kenneth Robbins
Joseph P. Sweet
People's Counsel
P. David Fields
Pat Keller
J. Robert Haines
Ann Nastarowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablon, Esq.

7/05/89 -Amended Plan submitted to Board; copy to PC.
Hearing PP on the record and rescheduled to Thursday, August 24, 1989
at 10:00 a.m. in County Council Chambers; above notified of rescheduled date.

CV-4

IN THE MATTER OF THE APPLICATION OF
AMOCO OIL CO. FOR SPECIAL EXCEPTION
AND ZONING VARIANCE - NW/S EASTERN
AVENUE AND WILTSHIRE AVENUE
BALTIMORE CO., MARYLAND

Case Number 89-176-XA
() Civil () Criminal

Vs.
ZONING COMMISSIONER FOR
BALTIMORE COUNTY

SUBPOENA

TO: (Name, Address & County)

David Flowers, Program Planner
Chesapeake Bay Critical Area
County Courts Bldg. - 4th floor
Bosley Avenue
Towson, Maryland 21204

YOU ARE HEREBY COMMANDED TO: () Personally appear; () Produce documents and or objects only; (x) Personally appear and produce documents or objects;
at COUNTY COUNCIL CHAMBERS, SECOND FLOOR, OLD COURTHOUSE, CHESAPEAKE AVENUE
(Place where attendance is required)

TOWSON, MARYLAND 21204

on THURSDAY the 14th day of August, 1989, at 10 a.m./p.m.

YOU ARE COMMANDED TO produce the following documents or objects:

Appellant
Subpoena requested by (x) Plaintiff () Defendant; and any questions should be referred to:
Joseph K. Pokorny, 408 Jefferson Bldg., Towson, Maryland 21204 823-2000
(Name of Party or Attorney, Address and Phone Number)

Date Issued: Linda M. Kuszmaul, Clerk
Signature & Seal

NOTICE:
(1) YOU ARE LIABLE TO BODY ATTACHMENT AND FINE FOR FAILURE TO OBEY THIS SUBPOENA.
(2) This subpoena shall remain in effect until you are granted leave to depart by the Court or by an officer acting on behalf of the Court.
(3) If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate a person to testify pursuant to Rule 2-412(d).

SHERIFF'S RETURN

() Served and copy delivered on date indicated below.
() Unserved, by reason of: 6P:01PM 11 50V 68

Date: 8/24/89
Original and one copy needed for each witness

IN THE MATTER OF THE APPLICATION
OF AMOCO OIL COMPANY FOR SPECIAL
EXCEPTION AND ZONING VARIANCE -
NW/S EASTERN AVENUE AND WILTSHIRE
AVENUE

CHARLES BOGDANOVICH, APPELLANT

VS

ZONING COMMISSIONER FOR BALTO. CO.

APPELLEE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of August, 1989,
the foregoing Subpoena was hand delivered to Ms. Kimberly Piper,
Dept. of Economic Development, Room 47 Old Courthouse,
Towson, Maryland 21204.

Linda Scheeler
Law Office of Joseph Pokorny
408 Jefferson Bldg.,
Towson, Maryland 21204

LAW OFFICE OF
JOSEPH K. POKORNY
408 JEFFERSON BLDG.
TOWSON, MD. 21204
823-2000

9P:11PM 82 30V 68

STATION 35 0308 11M00
08/23/89

CV-4

IN THE MATTER OF THE APPLICATION OF
AMOCO OIL CO. FOR SPECIAL EXCEPTION
AND ZONING VARIANCE - NW/S EASTERN
AVENUE AND WILTSHIRE AVENUE
BALTIMORE CO., MARYLAND

Case Number 89-176-XA
() Civil () Criminal

Vs.
ZONING COMMISSIONER FOR BALTIMORE CO.

SUBPOENA

TO: (Name, Address & County)

KIMBERLY PIPER
DEPT. OF ECONOMIC DEVELOPMENT
ROOM 47 OLD COURTHOUSE
TOWSON, MARYLAND 21204

YOU ARE HEREBY COMMANDED TO: () Personally appear; () Produce documents and or objects only; (x) Personally appear and produce documents or objects;
at COUNTY COUNCIL CHAMBERS, SECOND FLOOR, OLD COURTHOUSE, TOWSON, MARYLAND
(Place where attendance is required)

on Thursday the 24th day of August, 1989, at 10 a.m./p.m.

YOU ARE COMMANDED TO produce the following documents or objects:

Appellant
Subpoena requested by (x) Plaintiff () Defendant; and any questions should be referred to:
Joseph K. Pokorny, 408 Jefferson Bldg., Towson, Md. 21204 823-2000
(Name of Party or Attorney, Address and Phone Number)

Date Issued:

Linda Kuszmaul, Clerk
Signature & Seal

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SHERIFF'S RETURN

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() Unserved, by reason of: 10:11PM 82 30V 68

Date: 8/24/89
Original and one copy needed for each witness

CV-4

IN THE MATTER OF THE APPLICATION OF
AMOCO OIL CO. FOR SPECIAL EXCEPTION
AND ZONING VARIANCE - NW/S EASTERN
AVENUE AND WILTSHIRE AVENUE
BALTIMORE CO., MARYLAND

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KIMBERLY PIPER
DEPT. OF ECONOMIC DEVELOPMENT
ROOM 47 OLD COURTHOUSE
TOWSON, MARYLAND 21204

YOU ARE HEREBY COMMANDED TO: () Personally appear; () Produce documents and or objects only; (x) Personally appear and produce documents or objects;
at COUNTY COUNCIL CHAMBERS, SECOND FLOOR, OLD COURTHOUSE, TOWSON, MARYLAND
(Place where attendance is required)

on Thursday the 24th day of August, 1989, at 10 a.m./p.m.

YOU ARE COMMANDED TO produce the following documents or objects:

Appellant
Subpoena requested by (x) Plaintiff () Defendant; and any questions should be referred to:
Joseph K. Pokorny, 408 Jefferson Bldg., Towson, Md. 21204 823-2000
(Name of Party or Attorney, Address and Phone Number)

Date Issued: Linda M. Kuszmaul, Clerk
Signature & Seal

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SHERIFF'S RETURN

() Served and copy delivered on date indicated below.
() Unserved, by reason of: 10:11PM 82 30V 68

Date: 8/24/89
Original and one copy needed for each witness



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 496-3180 887-3180

HEARING ROOM -
Room 301, County Office Building

March 22, 1989

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 89-176-XA

CHARLES BOGDANOVICH

NW/S Eastern Avenue, NE/Corner Wiltshire
Road & Eastern Avenue (220 Eastern Ave.)

15th Election District
5th Councilmanic District

SE -For a gasoline station with a convenience
store facility and in-bay car wash

VAR -To allow front yard average setbacks of
36 ft. in lieu of the required 38 ft. for
the station building and convenience store;
and to allow 34 ft. for the car wash in lieu
of the required 37 ft. and to allow a side
yard setback of 5 ft. from the car wash in lieu
of the required 30 ft.

12/6/88 -Z.C.'s Order DENYING Petition for Special
Exception and Variance

ASSIGNED FOR:

WEDNESDAY, JULY 5, 1989 at 10:00 a.m.

cc: Charles T. Bogdanovich Appellant/Petitioner
Joseph K. Pokorny, Esquire Counsel for Appellant/Petitioner
Mr. and Mrs. Joseph Hoffman
Richard Truelove
Mr. Bill J. Jaeger
Kenneth Robbins
Joseph P. Sweet
People's Counsel of Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablon, County Attorney

Office of Law

Linda M. Kuszmaul
Legal Secretary



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 496-3180 887-3180

HEARING ROOM -
Room 301, County Office Building

March 22, 1989

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 89-176-XA

CHARLES BOGDANOVICH

NW/S Eastern Avenue, NE/Corner Wiltshire
Road & Eastern Avenue (220 Eastern Ave.)

15th Election District
5th Councilmanic District

SE -For a gasoline station with a convenience
store facility and in-bay car wash

VAR -To allow front yard average setbacks of
36 ft. in lieu of the required 38 ft. for
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and to allow 34 ft. for the car wash in lieu
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yard setback of 5 ft. from the car wash in lieu
of the required 30 ft.

12/6/88 -Z.C.'s Order DENYING Petition for Special
Exception and Variance

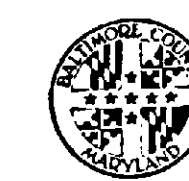
ASSIGNED FOR:

WEDNESDAY, JULY 5, 1989 at 10:00 a.m.

cc: Charles T. Bogdanovich Appellant/Petitioner
Joseph K. Pokorny, Esquire Counsel for Appellant/Petitioner
Mr. and Mrs. Joseph Hoffman
Richard Truelove
Mr. Bill J. Jaeger
Kenneth Robbins
Joseph P. Sweet
People's Counsel of Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablon, County Attorney

Office of Law

Linda M. Kuszmaul
Legal Secretary



County Board of Appeals of Baltimore County

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 496-3180 887-3180

HEARING ROOM -
Room 301, County Office Building

March 22, 1989

NOTICE OF POSTPONEMENT AND REASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 89-176-XA

CHARLES BOGDANOVICH

NW/S Eastern Avenue, NE/Corner Wiltshire
Road & Eastern Avenue (220 Eastern Avenue)

15th Election District
5th Councilmanic District

SE -Gasoline station w/convenience store
and in-bay car wash; VAR -setbacks

12/06/88 -Z.C.'s Order DENYING Petition for
Special Exception and Variance.

which had been scheduled for hearing on Wednesday, July 5, 1989 has been
POSTPONED on the record this date and has been

REASSIGNED FOR: THURSDAY, AUGUST 24, 1989 at 10:00 a.m.

cc: Charles T. Bogdanovich Appellant/Petitioner
Joseph K. Pokorny, Esquire Counsel for Appellant/Petitioner
Mr. and Mrs. Joseph Hoffman
Mr. Richard Truelove
Mr. Bill J. Jaeger
Mr. Kenneth Robbins
Mr. Joseph Sweet
People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
Docket Clerk -Zoning
Arnold Jablon, County Attorney

Kathleen C. Weidenhamer
Administrative Assistant

NOTE: HEARING TO BE HELD IN COUNTY COUNCIL CHAMBERS -
Second Floor, Old Courthouse

IN THE MATTER OF THE APPLICATION *
OF AMOCO OIL COMPANY FOR SPECIAL *
EXCEPTION AND ZONING VARIANCE *
NW/S EASTERN AVENUE AND WILTSHIRE *
AVENUE *
CHARLES BOGDANOVICH, APPELLANT *
VS *
ZONING COMMISSIONER FOR *
BALTIMORE COUNTY *
APPELLEE *

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of August, 1989,
the foregoing Subpoena was hand delivered to David Flowers,
4th floor, County Courts Building, Towson, Maryland 21204.

Linda Scheeler
Law Office of Joseph K. Pokorny
408 Jefferson Building
Towson, Maryland 21204
823-2000

CV-4

IN THE MATTER OF THE APPLICATION OF
AMOCO OIL CO. FOR SPECIAL EXCEPTION
AND ZONING VARIANCE - NW/S EASTERN
AVENUE AND WILTSHIRE AVENUE
BALTIMORE CO., MARYLAND

Case Number 89-176-XA
() Civil () Criminal

Vs.
ZONING COMMISSIONER FOR
BALTIMORE COUNTY

SUBPOENA

TO: (Name, Address & County) David Flowers, Program Planner
Chesapeake Bay Critical Area
County Courts Bldg. - 4th floor
Bosley Avenue
Towson, Maryland 21204

YOU ARE HEREBY COMMANDED TO: () Personally appear; () Produce documents and or objects only; (x) Personally appear and produce documents or objects;
at COUNTY COUNCIL CHAMBERS, SECOND FLOOR, OLD COURTHOUSE, CHESAPEAKE AVENUE
(Place where attendance is required)

TOWSON, MARYLAND 21204
on THURSDAY the 24th day of August, 1989, at 10 a.m./p.m.

YOU ARE COMMANDED TO produce the following documents or objects:

Appellant
Subpoena requested by (x) ~~XXXX~~ () Defendant; and any questions should be referred to:
Joseph K. Pokorny, 408 Jefferson Bldg., Towson, Maryland 21204 823-2000
(Name of Party or Attorney, Address and Phone Number)
Date Issued Linda Scheeler
CLERK Signature & Seal

NOTICE:
(1) YOU ARE LIABLE TO BODY ATTACHMENT AND FINE FOR FAILURE TO OBEY THIS SUBPOENA.
(2) This subpoena shall remain in effect until you are granted leave to depart by the Court or by an officer acting on behalf of the Court.
(3) If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate a person to testify pursuant to Rule 2-412(d).

SHERIFF'S RETURN

() Served and copy delivered on date indicated below.
() Unserved, by reason of 60 JUN 17 1989
Date: Fee: \$
Original and one copy needed for each witness

IN THE MATTER OF THE APPLICATION *
AMOCO OIL COMPANY FOR SPECIAL *
EXCEPTION AND ZONING VARIANCE *
NW/S EASTERN AVENUE AND WILTSHIRE *
AVENUE *
CHARLES BOGDANOVICH, *
APPELLANT *
VS. *
ZONING COMMISSIONER FOR BALTO. CO. *
APPELLEE *

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that on this 28th day of June, 1989,
the foregoing Subpoena was hand delivered to David Flowers,
Department of Health, 4th floor County Court Building,
Towson, Maryland 21204.

Linda Scheeler
408 Jefferson Bldg.
Towson, Md. 21204
823-2000

IN THE MATTER OF THE APPLICATION OF
AMOCO OIL CO. FOR SPECIAL EXCEPTION
AND ZONING VARIANCE - NW/S EASTERN
AVENUE AND WILTSHIRE AVENUE

Number 89-176-XA
() Civil () Criminal

Vs.
ZONING COMMISSIONER FOR BALTIMORE CO.

SUBPOENA

TO: (Name, Address & County) David Flowers, Program Planner
Chesapeake Bay Critical Area
Baltimore County Office Bldg.
Chesapeake Avenue - Towson, Md. 21204

YOU ARE HEREBY COMMANDED TO: () Personally appear; () Produce documents and or objects only; (x) Personally appear and produce documents or objects;
at HEARING ROOM 301 COUNTY OFFICE BLDG., TOWSON, MARYLAND 21204
(Place where attendance is required)

on Wednesday the 5th day of July, 1989, at 10 a.m./p.m.

YOU ARE COMMANDED TO produce the following documents or objects:
All documents pertaining to the investigation, decisions, and opinions.
relative to the above case.

Subpoena requested by () Defendant; and any questions should be referred to:
Joseph K. Pokorny, 408 Jefferson Bldg., Towson, Md. 21204 823-2000
(Name of Party or Attorney, Address and Phone Number)
Date Issued 6/28/89 Linda Scheeler
CLERK Signature & Seal

NOTICE:
(1) YOU ARE LIABLE TO BODY ATTACHMENT AND FINE FOR FAILURE TO OBEY THIS SUBPOENA.
(2) This subpoena shall remain in effect until you are granted leave to depart by the Court or by an officer acting on behalf of the Court.
(3) If this subpoena is for attendance at a deposition and the party served is an organization, notice is hereby given that the organization must designate a person to testify pursuant to Rule 2-412(d).

SHERIFF'S RETURN

() Served and copy delivered on date indicated below.
() Unserved, by reason of
Date: Fee: \$ SHERIFF
Original and one copy needed for each witness

60 JUN 28 1989
RECEIVED
COUNTY BOARD OF APPEALS

IN THE MATTER OF THE APPLICATION OF
AMOCO OIL CO. FOR SPECIAL EXCEPTION
AND ZONING VARIANCE - NW/S EASTERN
AVENUE AND WILTSHIRE AVENUE

Number 89-176-XA
() Civil () Criminal

Vs.
ZONING COMMISSIONER FOR BALTIMORE CO.

SUBPOENA

TO: (Name, Address & County) David Flowers, Program Planner
Chesapeake Bay Critical Area
Baltimore County Office Bldg.
Chesapeake Avenue - Towson, Md. 21204

YOU ARE HEREBY COMMANDED TO: () Personally appear; () Produce documents and or objects only; (x) Personally appear and produce documents or objects;
at HEARING ROOM 301 COUNTY OFFICE BLDG., TOWSON, MARYLAND 21204
(Place where attendance is required)

on Wednesday the 5th day of July, 1989, at 10 a.m./p.m.

YOU ARE COMMANDED TO produce the following documents or objects:
All documents pertaining to the investigation, decisions, and opinions.
relative to the above case.

Subpoena requested by () Defendant; and any questions should be referred to:
Joseph K. Pokorny, 408 Jefferson Bldg., Towson, Md. 21204 823-2000
(Name of Party or Attorney, Address and Phone Number)
Date Issued 6/28/89 Linda Scheeler
CLERK Signature & Seal

NOTICE:
(1) YOU ARE LIABLE TO BODY ATTACHMENT AND FINE FOR FAILURE TO OBEY THIS SUBPOENA.
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SHERIFF'S RETURN

() Served and copy delivered on date indicated below.
() Unserved, by reason of
Date: Fee: \$ SHERIFF
Original and one copy needed for each witness

60 JUN 28 1989
RECEIVED
COUNTY BOARD OF APPEALS

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

January 24, 1989

Dennis F. Rasmussen
County Executive

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for Special Exception & Zoning Variance
NW/S Eastern Avenue, NE/Corner Wiltshire Rd. & Eastern Ave.
(220 Eastern Avenue)
15th Election District, 5th Councilmanic District
CHARLES BOGDANOVICH - Petitioner
Case No. 89-176-XA

Dear Board:

Please be advised that an appeal of the above-referenced case was
filed in this office on January 4, 1987 by Joseph K. Pokorny,
Attorney on behalf of the Petitioner. All materials relative to the
case are being forwarded herewith.

Please notify all parties to the case of the date and time of the
appeal hearing when it has been scheduled. If you have any questions
concerning this matter, please do not hesitate to contact this office.

Very truly yours,
J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Charles T. Bogdanovich, 14520 Green Road, Balto., Md. 21013
Joseph K. Pokorny, 408 Jefferson Building, Towson, Md. 21204
Mr. & Mrs. Joseph Hoffman, 33 Riverside Road, Balto., Md. 21221
Richard Truelove, 314 Mordock Road, Baltimore, Md. 21212

Appeal
Case No. 89-176-XA
January 24, 1989
Page 2

Bill J. Jaeger, 10 Wiltshire Road, Balto., Md. 21221
Kenneth Robbins, 31 Berkshire Road, Balto., Md. 21221
Joseph P. Sweet, 33 Wiltshire Road, Balto., Md. 21221
People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204
File

ESSEX DEVELOPMENT CORPORATION
439 Eastern Blvd. • Essex, Md. 21221 • 687-9080

August 21, 1989

Mr. William T. Hackett, Chairman
Board of Appeals
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Hackett,

This letter concerns the appeal filed by Amoco regarding the
redevelopment of a service station at 200 Eastern Boulevard in
Essex. It is my understanding that a special exception for a car
wash, as well as a sign variance was requested in a Baltimore
County zoning hearing. Since the original hearing, Amoco has
substantially changed the site plan. The site plan that is now
proposed by Amoco would do much to improve the appearance of the
neighborhood and may encourage the owners of neighboring
commercial properties to improve their own properties. The
property in question is located in the center of the Essex
Revitalization District which is an area targeted for private
improvements as well as public capital improvements in the
future. For these reasons I urge you to allow Amoco to redevelop
the property according to the updated site plan. The results
would be of significant value to the Essex community.

Sincerely,
Daniel R. O'Donnell
Daniel R. O'Donnell
Executive Director

cc: Adam Wasserman,
Baltimore County Economic Development Commission

60 JUN 28 1989
RECEIVED
COUNTY BOARD OF APPEALS

NEW
HEART
OF
ESSEX



County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

November 14, 1988

Joseph K. Pokorny, Esquire
408 Jefferson Building
Towson, Maryland 21204

Re: Case No. 89-176-XA
Charles Bogdanovich

Dear Mr. Pokorny:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals regarding the subject case.

Sincerely,

Linda M. Kuszmaul
Linda M. Kuszmaul
Legal Secretary

Enclosure

cc: Mr. Charles Bogdanovich
Mr. and Mrs. Joseph Hoffman
Mr. Richard Truelove
Mr. Bill J. Jaeger
Mr. Kenneth Robbins
Mr. Joseph Sweet
People's Counsel for Baltimore County
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, County Attorney

THE LAW OFFICE OF
JOSEPH K. POKORNY
408 JEFFERSON BUILDING
108 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

TELEPHONE
883-2000

July 3, 1989

County Board of Appeals
County Office Building
111 Chesapeake Avenue
Towson, Maryland 21204

re: Amoco Oil Co.
Case No. 89-176-XA

Gentlemen,

Please find enclosed herewith amended drawings wherein we have eliminated the need for a variance by locating the car wash building within the confines of the zoning requirements.

All other requirements remain the same.

Very truly yours,

Joseph K. Pokorny
Joseph K. Pokorny

JKP/lbs

enclosures:

cc: People's Counsel

RECEIVED
COUNTY BOARD OF APPEALS
89 JUL -5 AM 9-15



Maryland Department of Transportation
State Highway Administration

Richard H. Trainor
Secretary
Hal Kassoff
Administrator

August 22, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Baltimore County
Amoco Gasoline and
Convenience Store
N/S Eastern Avenue
MD 150, at N/E
Corner of Wiltshire Rd.
(Item #21)

Dear Mr. Haines:

After reviewing the submittal of the special exception for a gasoline station with a convenience store and an in-bay car wash building, we offer the following comments:

1. A future 150' right of way (75' half section) on Eastern Avenue must be shown on the plan.
2. The existing 37' entrance at the center of the property must be relocated 15' to the east and reconstructed to 35'.
3. A note must be shown on the plan to repair and/or replace existing deteriorated curb as directed by the permit inspector.

It is requested these revisions be made prior to a hearing date being set.

If you have any questions, please call Larry Brocato of this office.

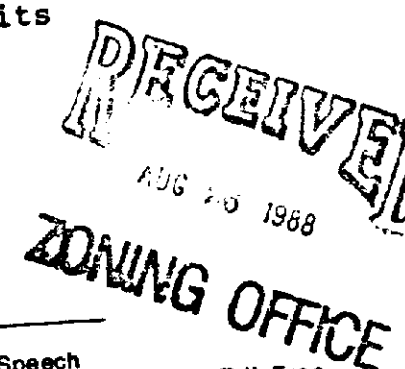
Very truly yours,

Robert W. Sheesley
Robert W. Sheesley, Jr., Chief
Bureau of Engineering
Access Permits

LB:maw

cc: APR Associates, Inc.
Mr. J. Ogle

My telephone number is (301) 333-1350
Teletypewriter for impaired hearing or speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717



Baltimore County
Fire Department
Towson, Maryland 21204-5586
494-4500

August 18, 1988

Paul H. Natchez
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Charles Bogdanovich

Location: NW/S Eastern Avenue on NE corner of Wiltshire Road and Eastern Avenue

Item No.: 21

Zoning Agenda: Meeting of 8/9/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- (X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Special Inspection Division
Fire Prevention Bureau

*NFPA 30, Section 7-8.4.3 shall apply. One attendant's primary function shall be to supervise dispensing of Class I Liquids.
/s/

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner
Date: November 9, 1988
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Charles Bogdanovich
Zoning Petition No. 89-176-XA

The applicant is requesting a special exception to allow for a gasoline station, car wash, and convenience store. In addition, several variances are being requested to locate the required buildings on this site. In reference to this request, staff provides the following information:

- * A CRG review for this project will be required. The CRG should be held prior to the issuance of any variances.
- * The site plan as shown raises concerns regarding the following:
 - an 8 foot landscape buffer yard is required between commercial and residential zones, the applicant is showing a 4-6 foot buffer. The provision of this buffer is critical; and
 - a 10 foot landscape buffer is required along Wiltshire, Berkshire and Eastern Avenues. The provision of these buffers should be required; and
 - The applicant's parcel appears to be located within the Essex Revitalization Area. The County has spent considerable sums of money in upgrading the streetscape in this area and the applicant should provide streetscape improvements along Eastern Avenue; and
 - the stacking of traffic within the project is creating movement problems and conflicts on the site; and
 - water and air service should be maintained on the site; and
 - the number of ingress and egress points is of concern to the department.

Based upon the analysis conducted and information provided, staff recommends that prior to any approvals of this project:

- the applicant work with the Department of Planning and Zoning to address the site design concerns noted; and
- in no case will required buffer yards be eliminated from the approved site plan; and
- a detailed landscape plan will be reviewed and approval by the County Landscape Planner prior to approval; and
- the requested variances and special exception shall only apply to the site plan as shown (use, size and location) as amended by the applicant and will not apply to the lot. The variances will not apply to any substantial deviation from the construction as shown.

PK/ef

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner
DATE: September 22, 1988
FROM: Mr. Robert W. Sheesley
SUBJECT: Chesapeake Bay Critical Area Findings
Amoco Oil Company - 220 Eastern Avenue

This property is located on the north side of Eastern Boulevard approximately 500 feet southwest of Mace Avenue. It is a .65 acre site with a land use that is an existing gasoline station. The existing site contains .25 acres of pervious area.

The entire site lies within the Baltimore County Chesapeake Bay Critical Area and is classified as an Intense Development Area (IDA). New development and redevelopment within the IDA shall use Best Management Practices or other technology which reduces pollutant loading by 10% of the on-site level prior to new development or redevelopment. Also, vegetation shall be established in permeable areas through landscaping (COMAR 14.15.02.03.D(3)(b) and Balto. County Code Section 22-216(a)(b)(c)).

This petition for special exception proposes to redevelop the existing gasoline station and add an in-bay car wash building. The proposal has .53 acres of impervious area. The remaining .10 acres of pervious area borders the site and is to be vegetated with major and minor deciduous trees, and shrubs. This is to be part of the approved and signed landscape plan required by CRG. An extended detention storm water management/water quality vault is proposed. This vault is approximately 1800 cu. ft. and is to be located underground in the western corner of the property. This facility far exceeds the Chesapeake Bay Critical Area's "10% Rule" by detaining at least .50 inches of run-off for 24 hours, and removing 25% of the pre-development phosphorous loadings.

These findings indicate that this proposal will:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number,

Memo to Mr. J. Robert Haines
September 22, 1988
Page 2

movement, and activities of persons in that area can create adverse environmental impacts. (COMAR 14.15.10(0)(1)(2)(3))
Therefore, this proposal on subject property is in compliance with the Chesapeake Bay Critical Area Law.

If further information is needed concerning this matter, please contact Mr. David C. Flowers at 494-3980.

RWS:MS:tg

cc: The Honorable Ronald Hickernell

89-176-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 10th day of August, 1988.

Petitioner: Charles Bogdanovich
Petitioner's Attorney: Joseph K. Pokorny

Received by: *J. Robert Haines*
J. ROBERT HAINES
ZONING COMMISSIONER
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 28, 1988

COUNTY OFFICE BLDG.
111 W. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Joseph K. Pokorny, Esquire
408 Jefferson Building
105 West Chesapeake Avenue
Towson, Maryland 21204

RE: Item No. 21 - Case No. 89-176-XA
Petitioner: Charles Bogdanovich
Petition for Zoning Variance and Special Exception

Dear Mr. Pokorny:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

cc: APR Associates, Inc.
7427 Harford Road
Baltimore, Maryland 21234

CHARLES BOGDANOVICH

BEFORE THE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. 89-176-XA

NOTICE OF APPEAL

PLEASE NOTE AN APPEAL FROM YOUR DECISION IN THE ABOVE CAPTIONED MATTER, UNDER DATE OF DECEMBER 6, 1988 TO THE BOARD OF APPEALS FOR BALTIMORE COUNTY AND FORWARD ALL TRANSCRIPTS IN CONNECTION THEREWITH TO THE BOARD OF APPEALS FOR BALTIMORE COUNTY FOR A HEARING.

Joseph K. Pokorny
408 Jefferson Building
Towson, Maryland 21204
823-2000

I HEREBY CERTIFY THAT ON THIS 4TH DAY OF JANUARY, 1989, A COPY OF THE FOREGOING NOTICE OF APPEAL WAS MAILED TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY, J. ROBERT HAINES, ADMINISTRATION BUILDING, CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204, AND PHYLLIS COLE FRIEDMAN, PEOPLE'S COUNSEL FOR BALTIMORE COUNTY, COUNTY OFFICE BUILDING, TOWSON, MARYLAND 21204.

Joseph K. Pokorny

RECEIVED
PAYMENT
No. 059881

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

1-9-89 ACCOUNT 001-006-6150

DATE 1/1/72 AMOUNT \$ 190.00

RECEIVED JOSEPH K. PORCANY

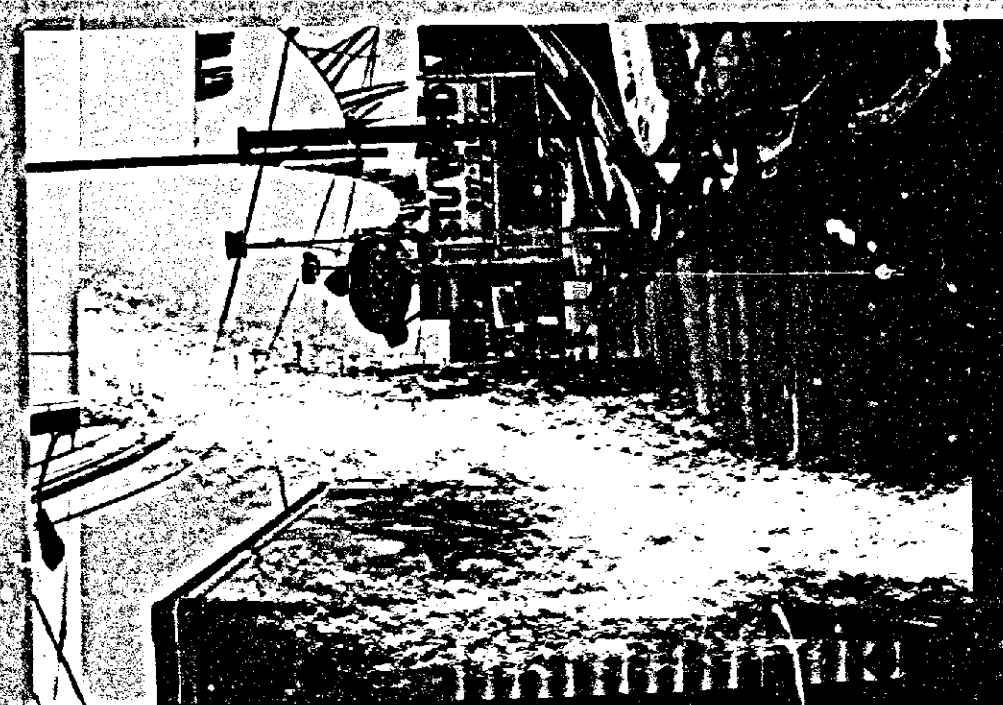
CASE # 89-176-XA



A AMOCO SIGN FROM EASTERN & MACE LOOKING WEST
(SIGN BARELY VISIBLE)



AN ESSEX BUSINESS DISTRICT FROM EASTERN & MACE



IC AMOCO BINGHAM EASTERN AVE...LOOKING WEST



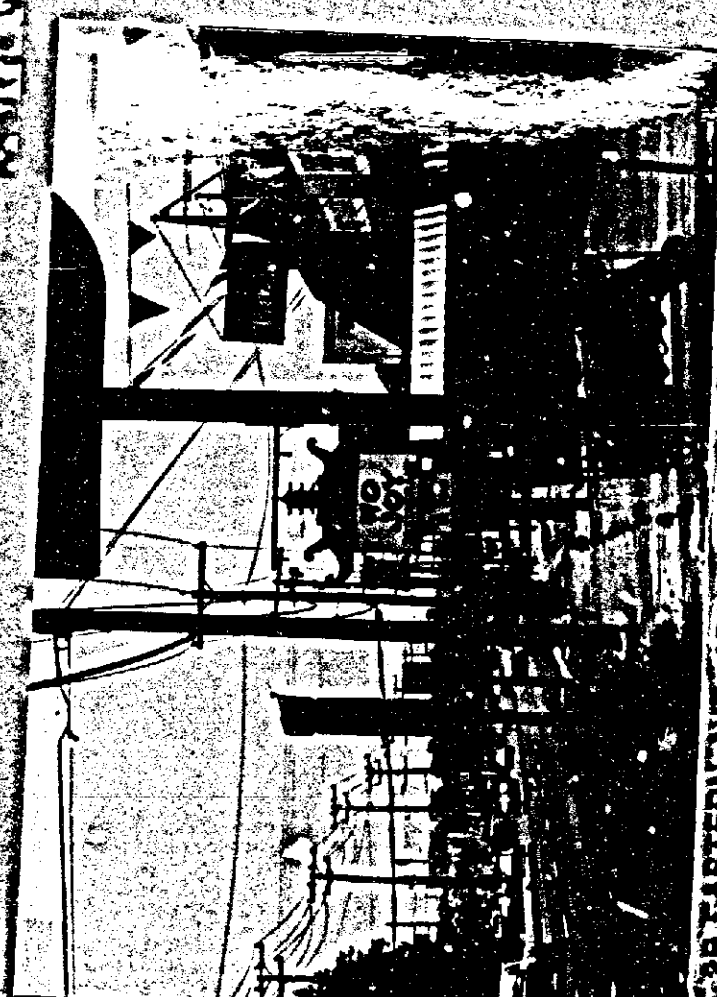
B AMOCO SIGN FROM EASTERN AVE LOOKING WEST



77 EASTERN AVE., LOOKING WEST,
(NOTE LIGHT, CLOSE BLDG. SETBACK, SIGN
SETBACK, & FORMER FILIPPOS PIZZA)



2 AMOCO SITE EASTERN AVE. FROM WILTSHIRE | LOOKING EAST



AGAN NOTE CLOSE BLDG. SETBACK) SEE ...



4 EXIST. BLDGS. ACROSS FROM AMOCO
NOTE JIFFY LUBE & CONVERTED DWG CS 1



AMOCO SIGN EASTERN AVE. LOOKING EAST

**SITE PHOTOGRAPHS
AMOCO OIL COMPANY
220 EASTERN AVENUE**

DATE OF PHOTOGRAPHS JUNE 27, 1989

APR
APR ASSOCIATES, INC.
ENGINEERS • SURVEYORS

9427 Parkland Road • Baltimore, Maryland 21226 • (301) 444-4375

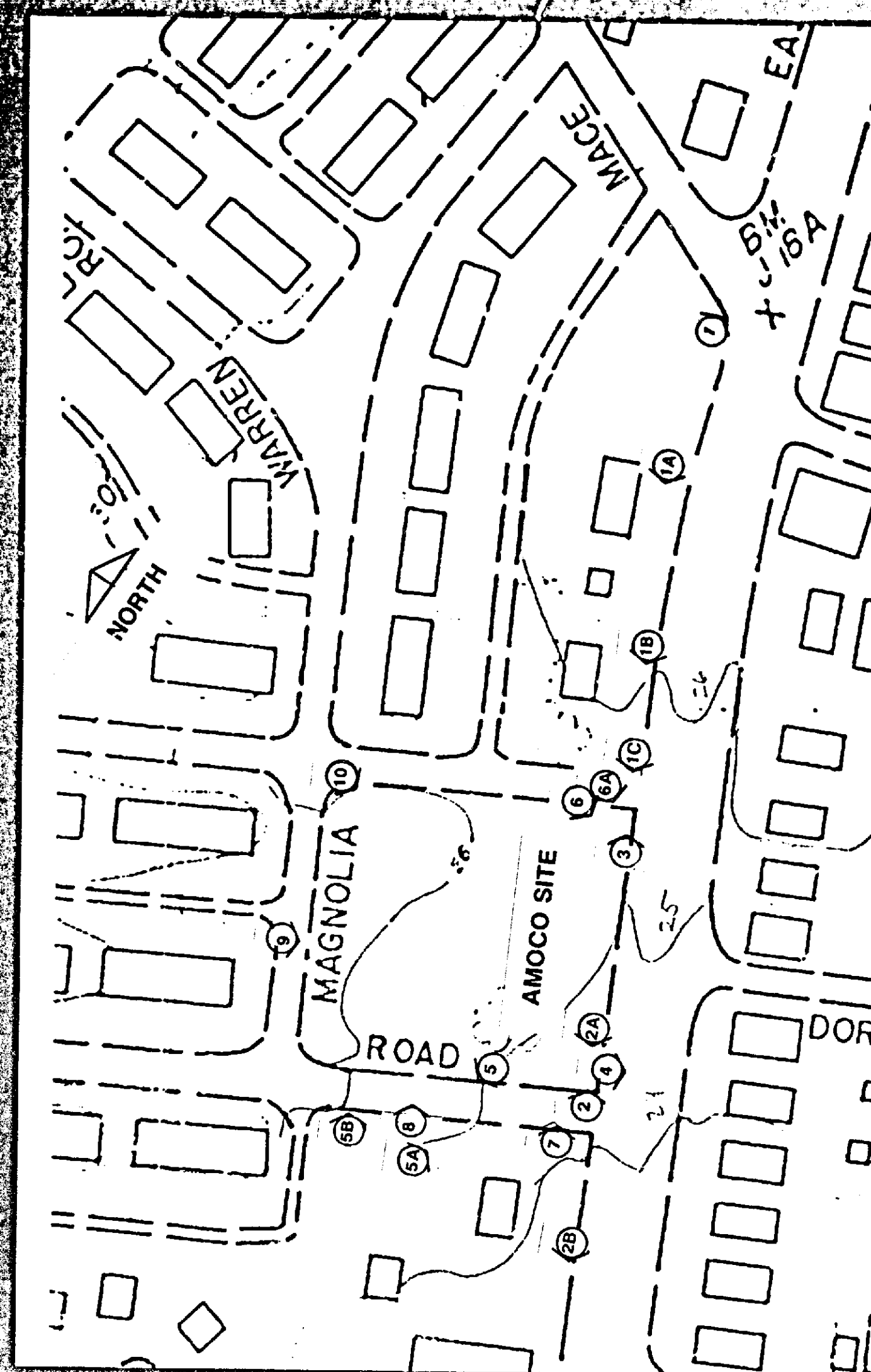


PHOTO LOCATION PI AN-1"-100'



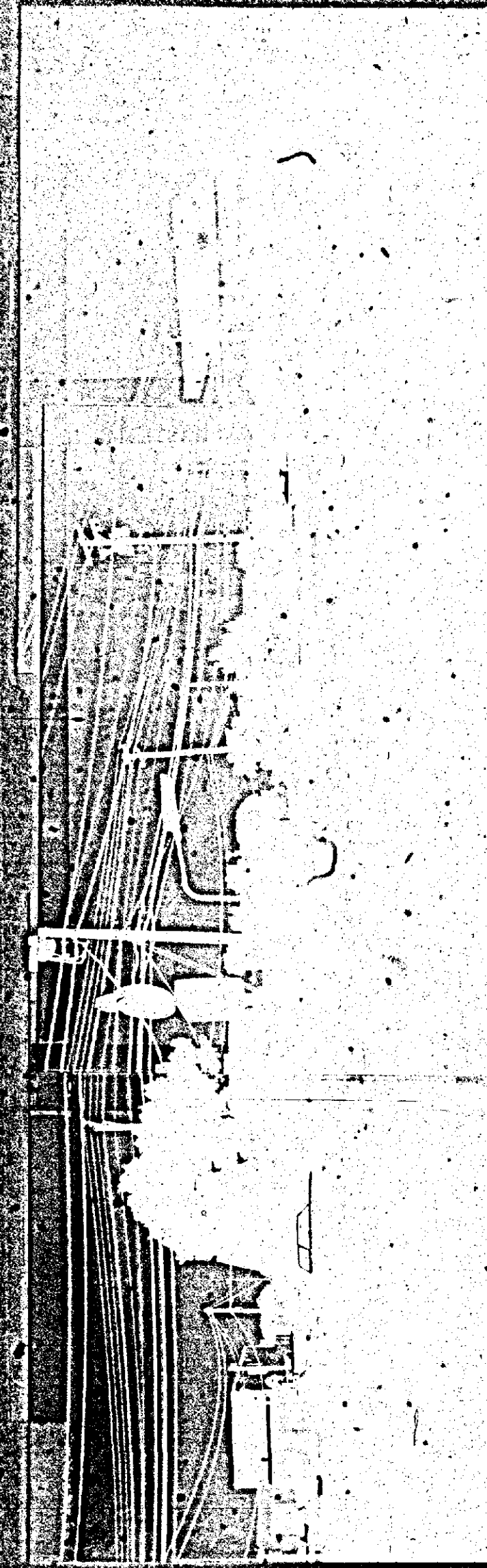
675' FROM AMOCO



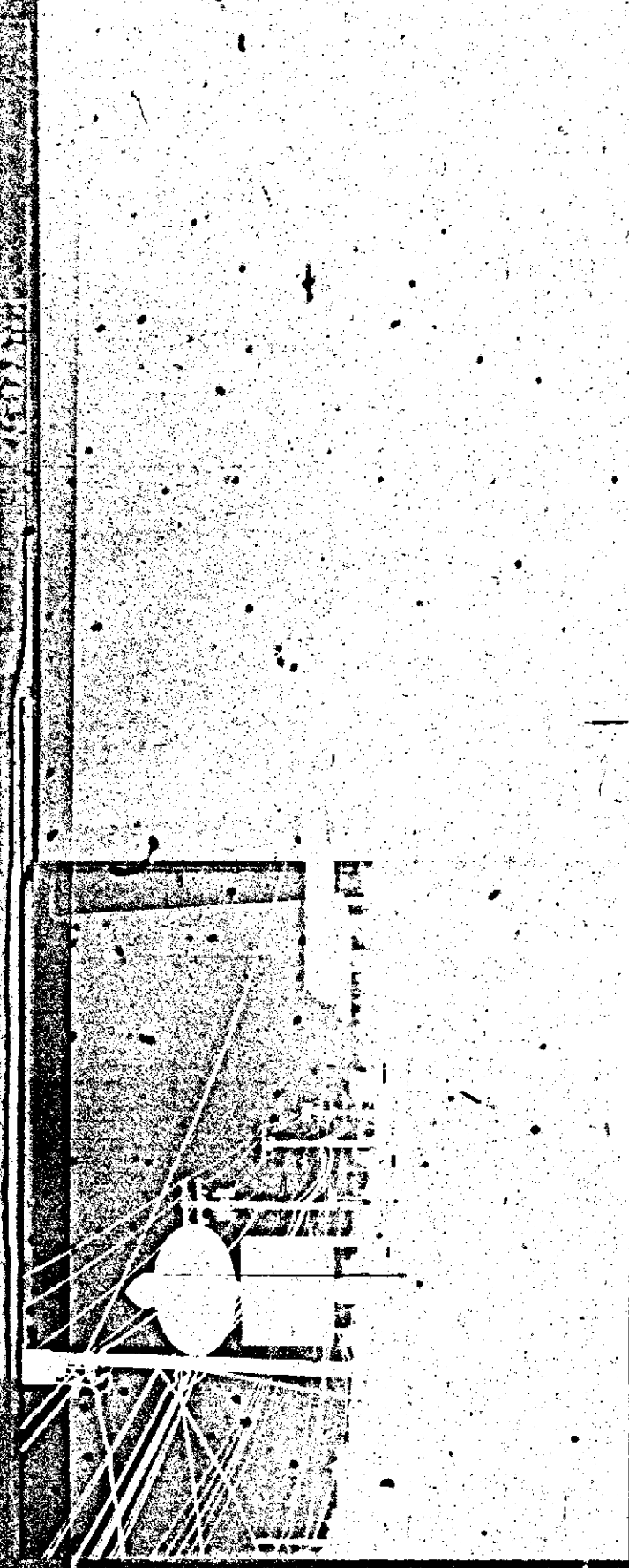
175' FROM AMOCO



18' VACANT LOT FROM 7-1



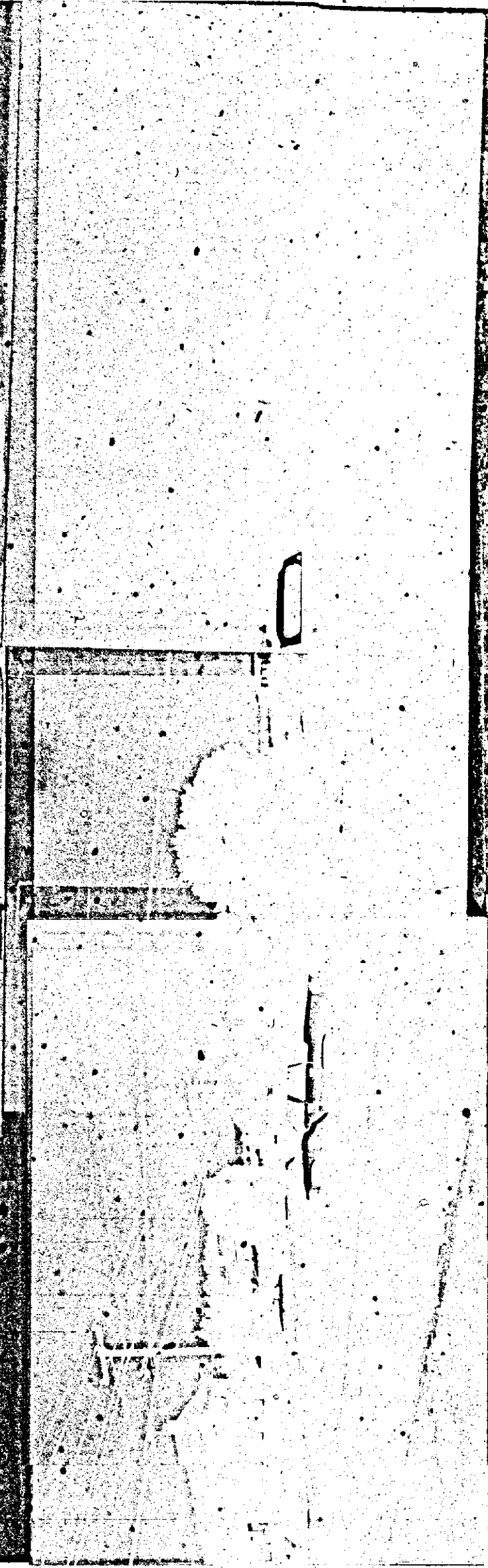
6 AMOCO SITE SHOWING EASTERN AVE. FROM BERKSHIRE



6A AMOCO SITE SHOWING ROW HOUSES BEHIND VACANT LOT



7 AMOCO SITE SHOWING EASTERN AVE. FROM WILSHIRE



8 VACANT LOT BEHIND AMOCO TAKEN FROM 7-11



9 VACANT LOT BEHIND AMOCO FROM MAGNOLIA AVE.



10 VACANT LOT FROM BERKSHIRE & MAGNOLIA

TRAFFIC ANALYSIS

for

Special Exception

AMOCO OIL COMPANY

220 Eastern Avenue

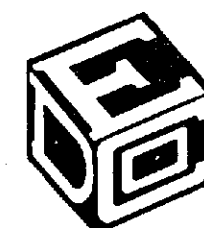
Baltimore County, Maryland

August 1989

ROBERT L. MORRIS, INC.
CONSULTANT IN TRAFFIC AND TRANSPORTATION
P.O. Box 34230, Bethesda, Maryland 20817

(301) 299-6632

appellants
No
8



ESSEX DEVELOPMENT CORPORATION
439 Eastern Blvd. • Essex, Md. 21221 • 687-9080

August 21, 1989

Mr. William T. Hackett, Chairman
Board of Appeals
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Hackett,

This letter concerns the appeal filed by Amoco regarding the redevelopment of a service station at 200 Eastern Boulevard in Essex. It is my understanding that a special exception for a car wash, as well as a sign variance was rejected in a Baltimore County zoning hearing. Since the original hearing, Amoco has substantially changed the site plan. The site plan that is now proposed by Amoco would do much to improve the appearance of the neighborhood and may encourage the owners of neighboring commercial properties to improve their own properties. The property in question is located in the center of the Essex Revitalization District which is an area targeted for private improvements as well as public capital improvements in the future. For these reasons I urge you to allow Amoco to redevelop the property according to the updated site plan. The results would be of significant value to the Essex community.

Sincerely,

Daniel R. O'Donnell
Daniel R. O'Donnell
Executive Director

cc: Adam Wasserman,
Baltimore County Economic Development Commission

People's
Council
No
2



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: ~~William T. Hackett, Chairman~~ DATE: August 18, 1989
~~County Board of Appeals~~
FROM: Pat Keller, Deputy Director
Office of Planning and Zoning
SUBJECT: Bogdanovich (Amoco Oil Co. Leasee)
Zoning Petition No. 89-176

The petitioners request a special exception for a gasoline station with a convenience store and car wash. In reference to this request, staff supports the request and Amended Revised Plan and offers the following comments:

- Lighting adjacent to the residential area should be positioned to eliminate possible illumination of homes and the height of all lighting structures should be limited to 12 feet in height.
- Limit hours of operation of car wash and vacuum from 8:00 a.m. to 9:00 p.m.
- Submit architectural elevations to ensure site compatibility.
- Site is located in a revitalization area and streetscape should reflect the revitalized Essex area.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Planning Office at 887-3480.

PK/JL/sf

P.C.
No
1

Baltimore County
Economic Development Commission
Courthouse Mezzanine
Towson, Maryland 21204
(301) 887-8000
Fax: (301) 887-8017
Raymond Carigan
Director

appellants No 6

August 24, 1989



Mr. William T. Hackett, Chairman
Board of Appeals
111 West Chesapeake Avenue
Room 315
Towson, MD 21204

RE: Petition for Special Exception 89-176-XA (Item 21)

Dear Mr. Hackett:

The Economic Development Commission would like to express its support of the variance request referenced above on the occasion of the related appeals hearing.

The proposed changes to the Amoco Oil Company property, located at 200 Eastern Avenue in Essex, represents a site improvement and a significant contribution to the Revitalization District. The property is located within the recently expanded Essex Revitalization Area, where concentrated efforts to improve the commercial core are just beginning.

The owners of the property wish to remodel the existing gas station to add a convenience store and a car wash. Several accommodations have been made to the plans to satisfy the recommendations of the Revitalization Program and the Office of Planning and Zoning. A more substantial fence will be installed across the rear of the property, with a row of trees providing an additional buffer. Hours of operation of the car wash will be limited to limit intrusion on residential neighborhoods. The number of curb cuts has been reduced to allow a safer flow of traffic, both on Eastern Avenue and among the various uses on the Amoco property. Landscaping around the property has been expanded to produce a product which will be an asset to the area and illustrate the continued commitment to creating a more healthy and attractive commercial core in Essex.

Please accept this letter as formal support for granting petition for special exception.

Sincerely,

Adam J. Wasserman
Adam J. Wasserman
Deputy Director

AJW:ss

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner
FROM: Mr. Robert W. Sheesley
SUBJECT: Chesapeake Bay Critical Area Findings
Amoco Oil Company - 220 Eastern Avenue

DATE: September 22, 1989

This property is located on the north side of Eastern Boulevard approximately 500 feet southwest of Mace Avenue. It is a .63 acre site with a land use that is an existing gasoline station. The existing site contains .25 acres of pervious area.

The entire site lies within the Baltimore County Chesapeake Bay Critical Area and is classified as an Intense Development Area (IDA). New development and redevelopment within the IDA shall use Best Management Practices or other technology which reduces pollutant loading by 10% of the on-site level prior to new development or redevelopment. Also, vegetation shall be established in permeable areas through landscaping (CDMAR 14.15.02.03.D(3)(b) and Balto. County Code Section 22-216(a)(b)(c)).

This petition for special exception proposes to redevelop the existing gasoline station and add an in-bay car wash building. The proposal has .53 acres of impervious area. The remaining .10 acres of pervious area borders the site and is to be vegetated with major and minor deciduous trees, and shrubs. This is to be part of the approved and signed landscape plan required by C&G. An extended detention storm water management/water quality vault is proposed. This vault is approximately 1800 cu. ft. and is to be located underground in the western corner of the property. This facility far exceeds the Chesapeake Bay Critical Area's "10% Rule" by detaining at least .50 inches of run-off for 24 hours, and removing 25% of the pre-development phosphorous loadings.

These findings indicate that this proposal will:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number,

appellant
Ex 5

Memo to Mr. J. Robert Haines
September 22, 1989
Page 2

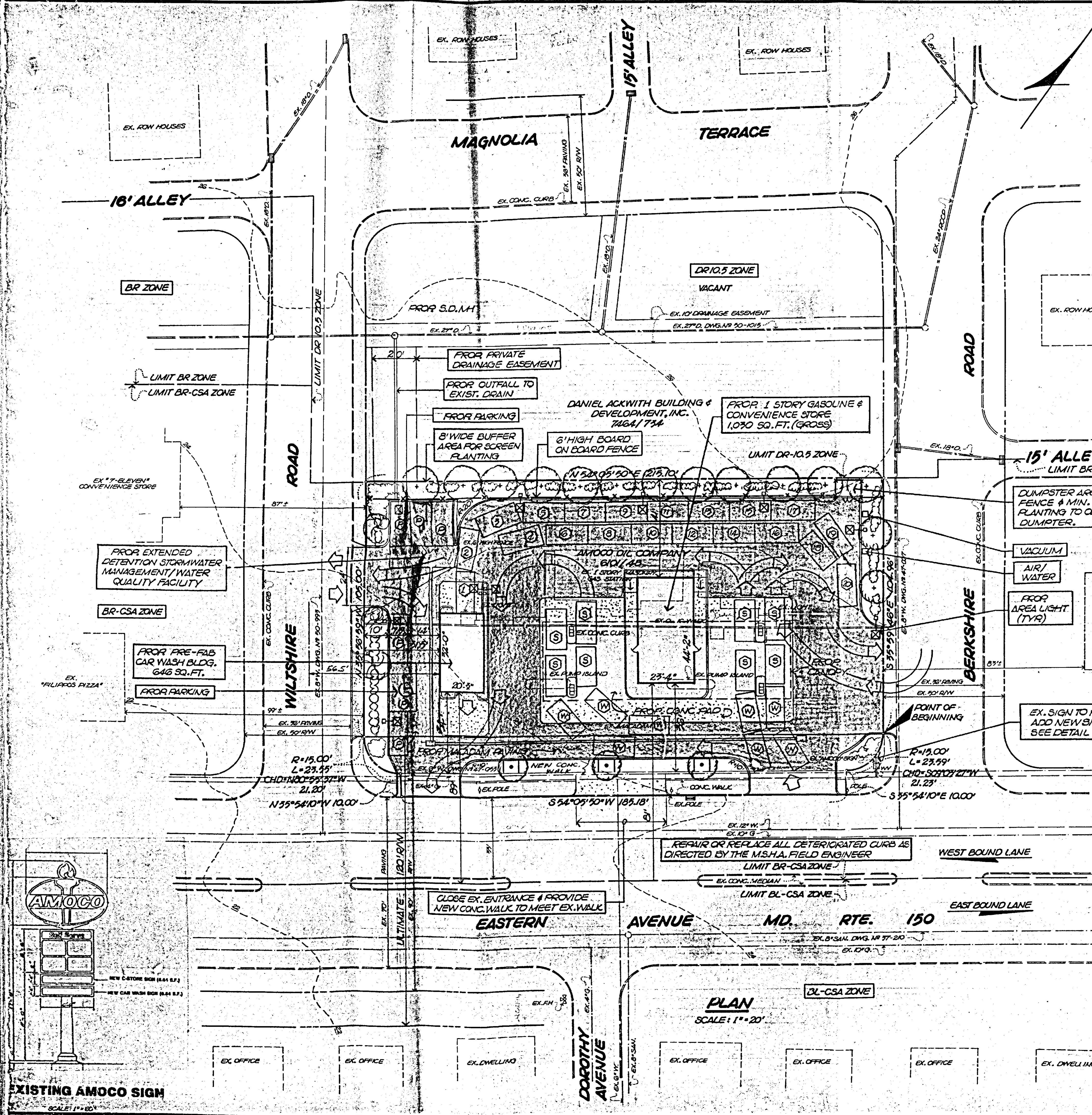
movement, and activities of persons in that area can create adverse environmental impacts. (CDMAR 14.15.10(0)(1)(2)(3))
Therefore, this proposal on subject property is in compliance with the Chesapeake Bay Critical Area Law.

If further information is needed concerning this matter, please contact Mr. David C. Flowers at 494-3980.

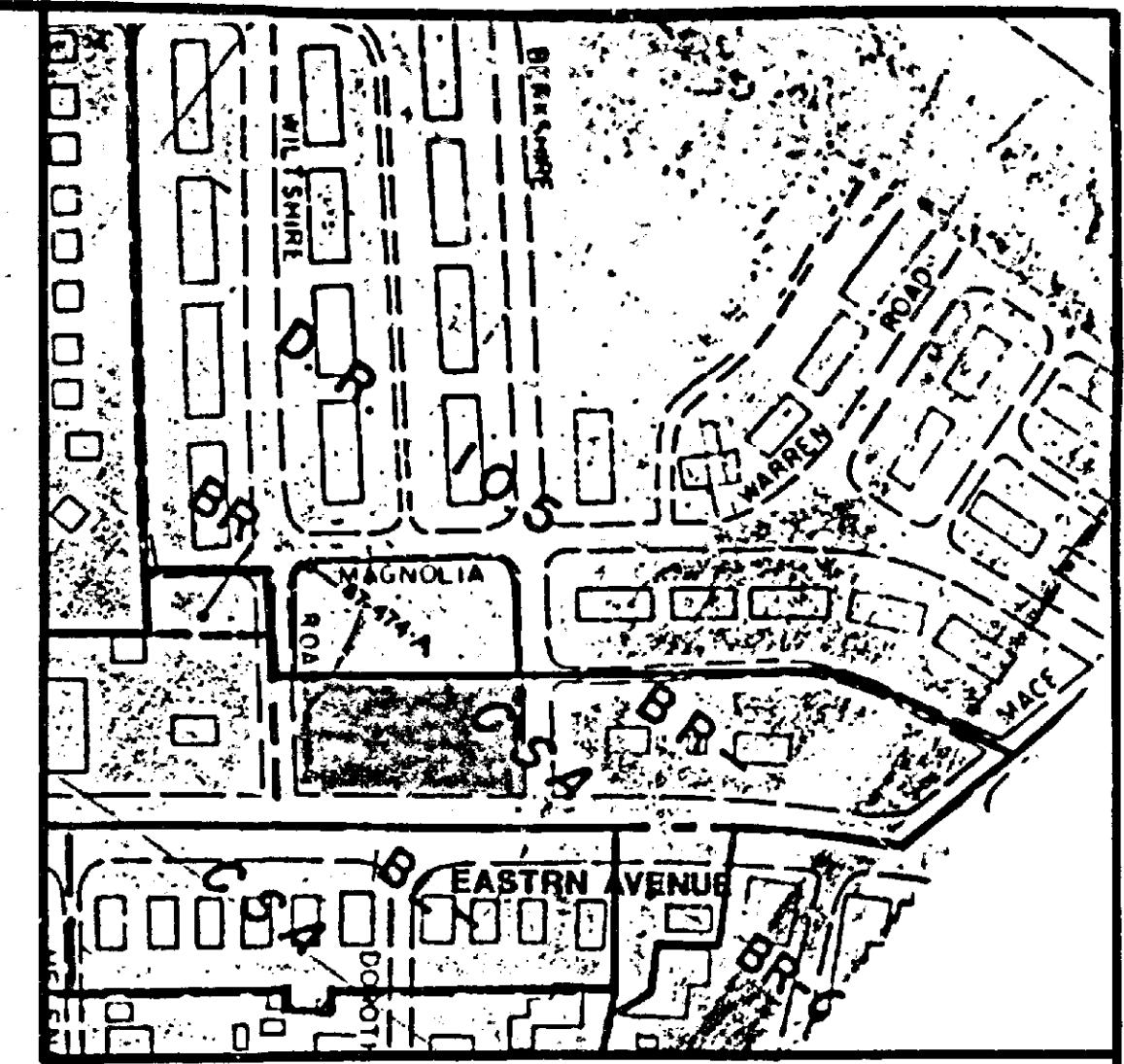
Robert W. Sheesley
Robert W. Sheesley, Director
Department of Environmental Protection
and Resource Management

RWS:MSitg

cc: The Honorable Ronald Hickernell



- ### LEGEND
- EXISTING CONTOUR
 - PROPOSED CONTOUR
 - PROPOSED SPOT ELEVATION
 - PROPOSED MACADAM PAVING
 - PROPOSED CONCRETE PAVING
 - EXISTING CONC. CURB & GUTTER
 - PROPOSED CONC. CURB & GUTTER
 - EXISTING BUILDING
 - PROPOSED BUILDING
 - PROPOSED CAR WAITING - CAR WASH
 - PROPOSED CAR WAITING GASOLINE SALES
 - PROPOSED CAR PARKING
 - PROPOSED STANDARD AMOCO AREA LIGHT
 - APPROXIMATE LOCATION OF LANDSCAPING SHOWN FOR QUANTITY PURPOSES ONLY.
 - PROBABLE TRAFFIC FLOW



LOCATION MAP
SCALE: 1" = 200'

GENERAL NOTES

- BEARINGS SHOWN ARE REFERRED TO THE TRUE MERIDIAN AS ESTABLISHED FOR THE BALTIMORE COUNTY METROPOLITAN DISTRICT.
- ELEVATIONS ARE BASED ON BALTIMORE COUNTY DATUM. BENCH MARK X - 2614 ELEV. 27.223 CUT 4" SOUTH CURB EAST CORNER EASTERN AVENUE AND RIVERSIDE DRIVE
- AREA OF PROPERTY: 27,499 S.F. OR 0.6313 AC. ±.
- TITLE REFERENCE: AMOCO OIL COMPANY - 6101/48
- EXISTING ZONING: BR - CSA
- PROPOSED ZONING: BR - CSA WITH SPECIAL EXCEPTIONS FOR CONVENIENCE STORE AND CAR WASH
- EXISTING USE: GASOLINE STATION
- PROPOSED USE: GASOLINE STATION W/ CONVENIENCE STORE AND CAR WASH
- ALL EXISTING STRUCTURES ON SITE TO BE RAZED.
- LIGHTING SHALL BE A MAXIMUM OF 14" HIGH PERIMETER LIGHTS SHALL BE DIRECTED DOWNWARD AND ON SITE.
- PREVIOUS SPECIAL EXCEPTION FOR SERVICE STATION CASE NUMBER 3683 (12/14/1955)
- CRG WAIVER W 88-155
- F.A.R. 0.6 (MAX ALLOWED = 2.0)
- PLANTING ALONG EASTERN AVENUE WILL BE CONSISTANT WITH THE ESSEX REVITALIZATION STREET SCAP.
- CAR WASH HOURS OF OPERATION WILL BE LIMITED TO BETWEEN 7 A.M. AND 10 P.M.

LANDSCAPE REQUIREMENTS

LINEAR FEET OF FRONTAGE = 395
TREES REQUIRED @ 1/20 L.F. = 20
ADDITIONAL TREES REQUIRED = 20

LANDSCAPING SHALL BE IN ACCORDANCE WITH THE BALTIMORE COUNTY LANDSCAPE MANUAL. REQUIRED PLANTING SHALL BE PROVIDED ALONG REAR PROPERTY LINE IN ADDITION TO PLANTING ALONG WILTSHIRE AND BERKSHIRE ROADS TO BUFFER RESIDENTIAL ZONE.

SETBACK REQUIREMENTS (405.4 - A.2)

MAIN BUILDING: FRONT: 35' FROM R/W, 60' FROM C.L.
REAR: 30'

CANOPY: 10' FROM R/W, 35' FROM C.L.
GASOLINE PUMP: 15' FROM R/W, 40' FROM C.L.
SIGN: 6' FROM R/W, 31' FROM C.L.
CAR WASH: SIDE & FRONT 25' FROM R/W, 50' FROM C.L.
REAR: 30'

SETBACKS PROVIDED

MAIN BUILDING: FRONT: PROPOSED 36' FROM R/W, 81' FROM C.L.
REAR: 41'

CANOPY: PROPOSED 30' FROM R/W, 75' FROM C.L.
GASOLINE PUMP: PROPOSED 32' FROM R/W, 77' FROM C.L.
SIGN: EXISTING
CAR WASH: PROPOSED 34' FROM R/W, 79' FROM C.L.
A) SIDE YARD: CAR WASH 31.5' FROM R/W, 56.5' FROM C.L.
B) REAR YARD: 55'

CIRCULATION PROVIDED

10 FUEL SERVICING BAYS: 10 FUEL SERVICE SPACES
10 FUEL WAITING SPACES
20 FUEL SPACES TOTAL

CAR WASH 10 CARS PER/30 MIN.: 10 CAR WASH SPACES
10 WAITING SPACES
20 CAR WASH SPACES TOTAL

OFF-STREET PARKING

- PARKING REQUIRED: GASOLINE STATION @ 3 PER SERVICE BAY, NO SERVICE BAYS: NONE REQUIRED
- CAR WASH: NONE REQUIRED
- "C" STORE @ 1 PER 200 S.F.: 5 REQUIRED (1030 - 200)
- PARKING PROVIDED: 5
- MINIMUM PARKING SPACE: 8 1/2' X 18'
- ON-SITE CURB IS 6" H. X 8" W. CONCRETE
- ALL PAVED SURFACES ARE BITUMINOUS CONCRETE OR PORTLAND CEMENT CONCRETE.
- SCREENING SHALL MEET THE REQUIREMENTS OF THE BALTIMORE COUNTY LANDSCAPE MANUAL.

LOT AREA REQUIREMENTS (405.4 - A.1)

8 FUEL SPACES X 1500 = 12,000 S.F. (15,000 S.F. MIN.)
"C" STORE (582 S.F.) X 4 = 2,333 S.F.
TOTAL SITE AREA REQ'D = 17,333 S.F.
SITE AREA PROVIDED = 27,499 S.F.
MINIMUM SITE WIDTH REQ'D = 130'
SITE WIDTH PROVIDED = 185'

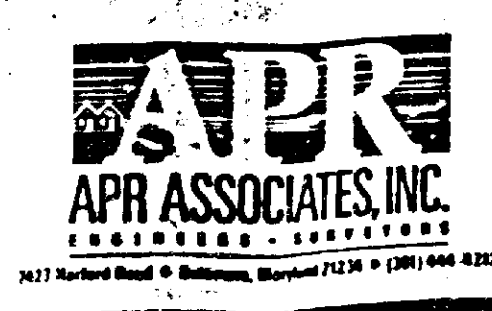
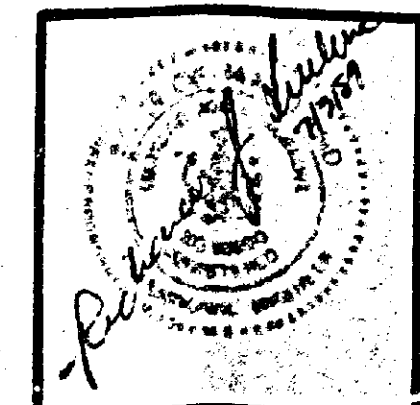
OWNER/APPLICANT
AMOCO OIL COMPANY
% CHARLES T. BOGDANOWICZ
14520 GREEN RD.
BALDWIN MD. 21013
ACCT. NO 18-00-01029
DEED REF. 6101/48

BUILDING & CAR WASH ELEVATIONS

AMENDED AUGUST 15, 1989

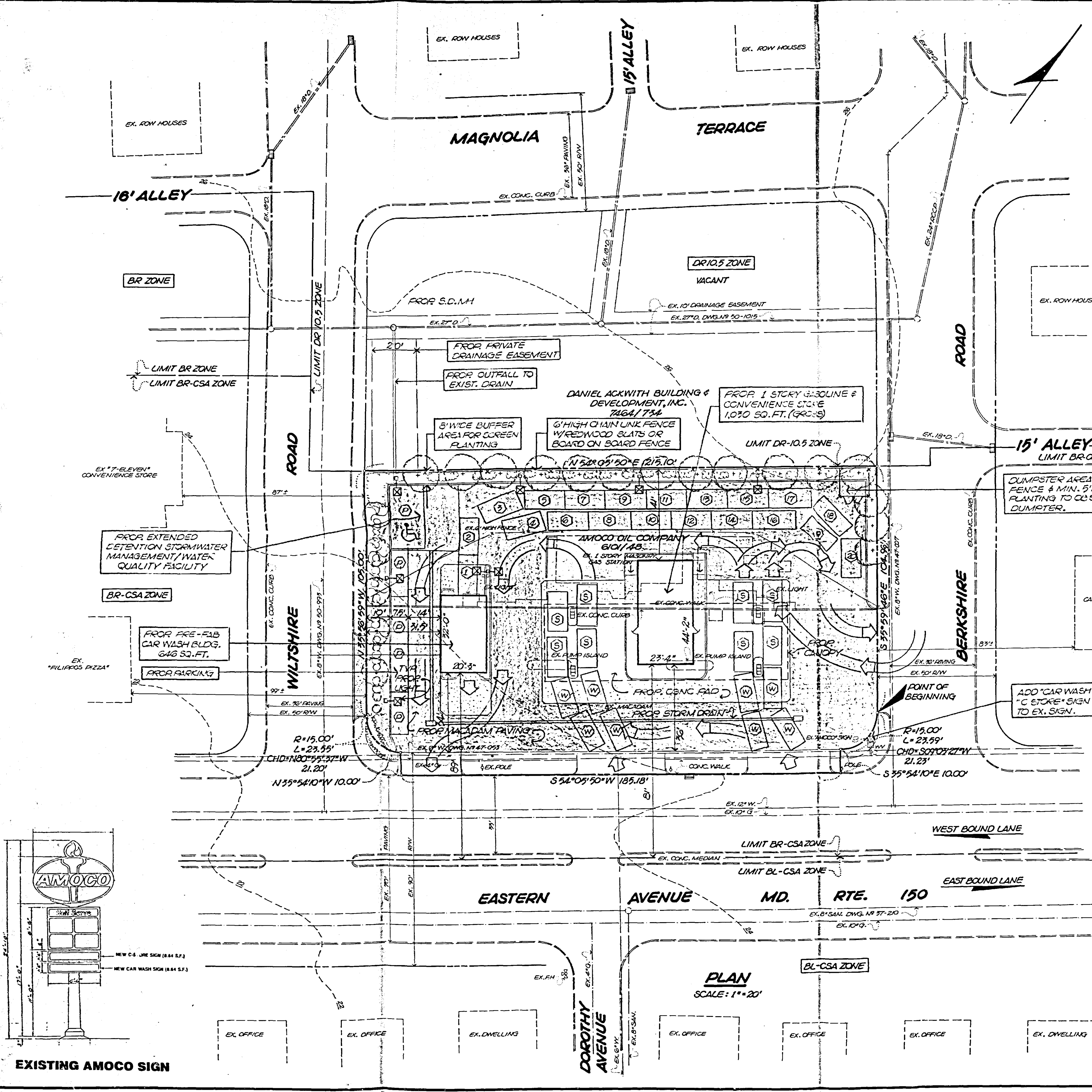
AMENDED REVISED PLAN

PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION
AMOCO OIL COMPANY
220 EASTERN AVENUE
ELECTION DISTRICT NO. 15 BALTIMORE COUNTY, MD.
SCALE: 1" = 20' DATE: JUNE 27, 1989

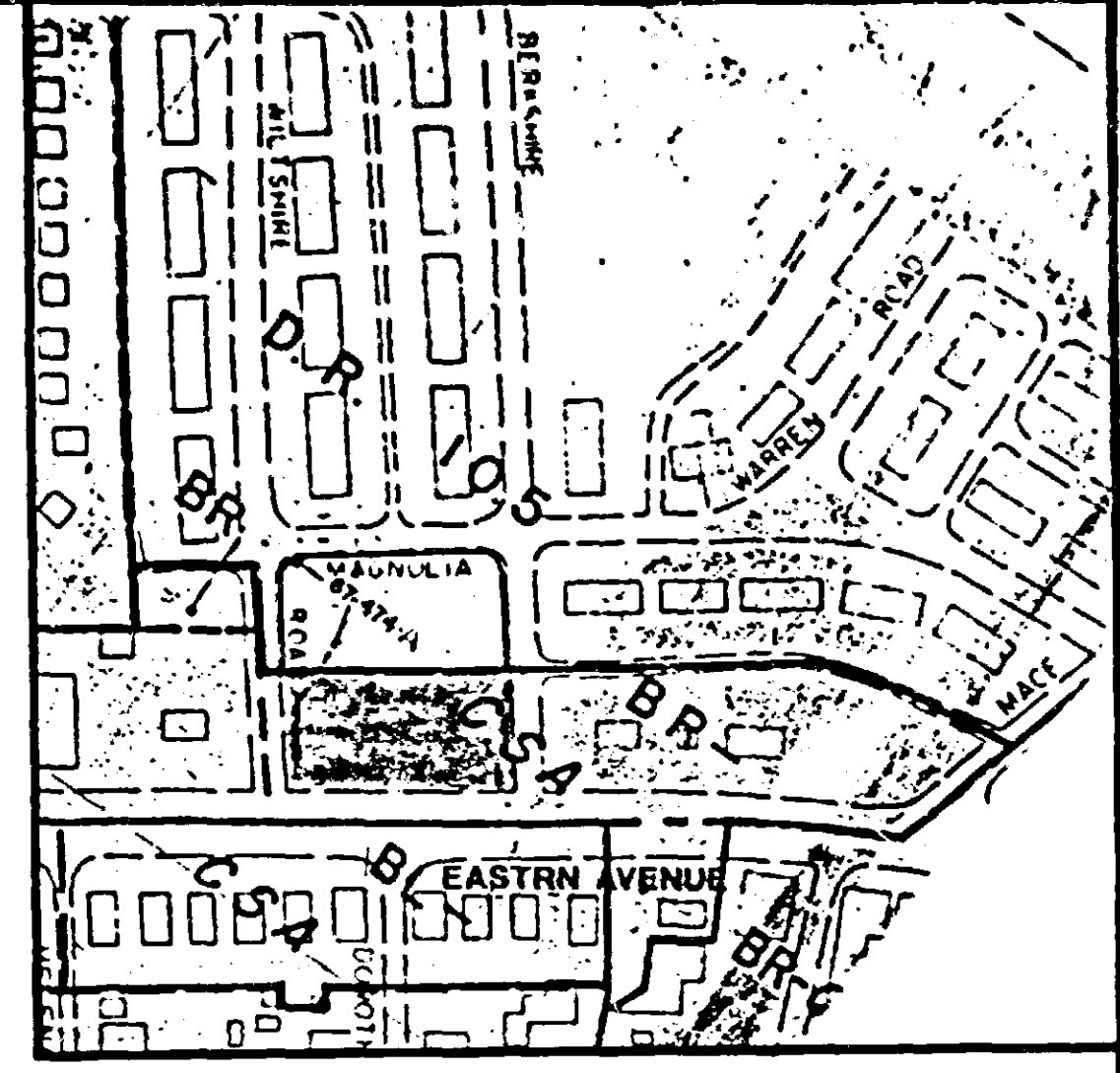


EXISTING AMOCO SIGN
SCALE: 1" = 20'

PLAN
SCALE: 1" = 20'



- ### LEGEND
- EXISTING CONTOUR
 - PROPOSED CONTOUR
 - PROPOSED SPOT ELEVATION
 - PROPOSED MACADAM PAVING
 - PROPOSED CONCRETE PAVING
 - EXISTING CONC. CURB & GUTTER
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 - PROPOSED CAR SERVICING
 - PROPOSED CARWASHING GASOLINE SALES
 - PROPOSED CAR SERVICING
 - PROPOSED STANDARD AMOCO AREA LIGHT
 - APPROXIMATE LOCATION OF LANDSCAPING SHOWN FOR CLARITY PURPOSES ONLY.
 - PROBABLE TRAFFIC FLOW

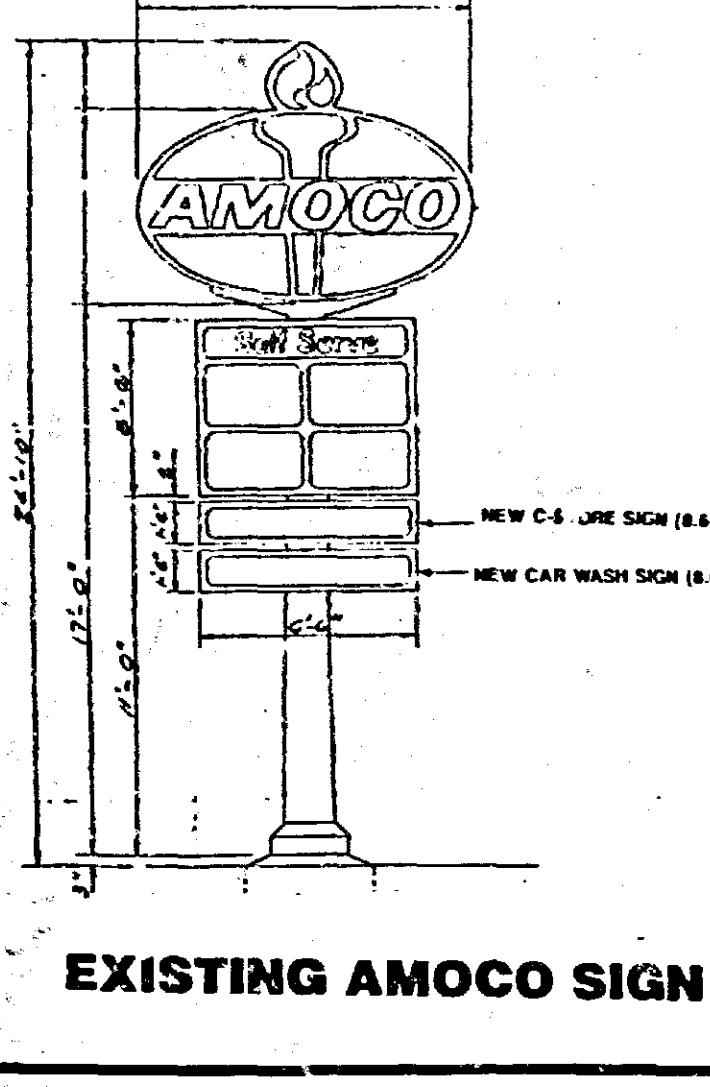


LOCATION MAP
SCALE: 1" = 200'

GENERAL NOTES

1. ALL BUILDINGS SHALL BE CONFORM TO THE CITY OF BALTIMORE ZONING ORDINANCES.
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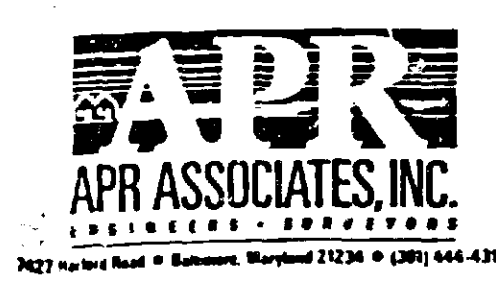
- ### LANDSCAPE REQUIREMENTS
- LINEAR FEET OF FRONTAGE
- 1. 100' - 150' - 10 TREES PLANTED
 - 2. 150' - 200' - 15 TREES PLANTED
 - 3. 200' - 250' - 20 TREES PLANTED
 - 4. 250' - 300' - 25 TREES PLANTED
 - 5. 300' - 350' - 30 TREES PLANTED
 - 6. 350' - 400' - 35 TREES PLANTED
 - 7. 400' - 450' - 40 TREES PLANTED
 - 8. 450' - 500' - 45 TREES PLANTED
 - 9. 500' - 550' - 50 TREES PLANTED
 - 10. 550' - 600' - 55 TREES PLANTED
 - 11. 600' - 650' - 60 TREES PLANTED
 - 12. 650' - 700' - 65 TREES PLANTED
 - 13. 700' - 750' - 70 TREES PLANTED
 - 14. 750' - 800' - 75 TREES PLANTED
 - 15. 800' - 850' - 80 TREES PLANTED
 - 16. 850' - 900' - 85 TREES PLANTED
 - 17. 900' - 950' - 90 TREES PLANTED
 - 18. 950' - 1000' - 95 TREES PLANTED



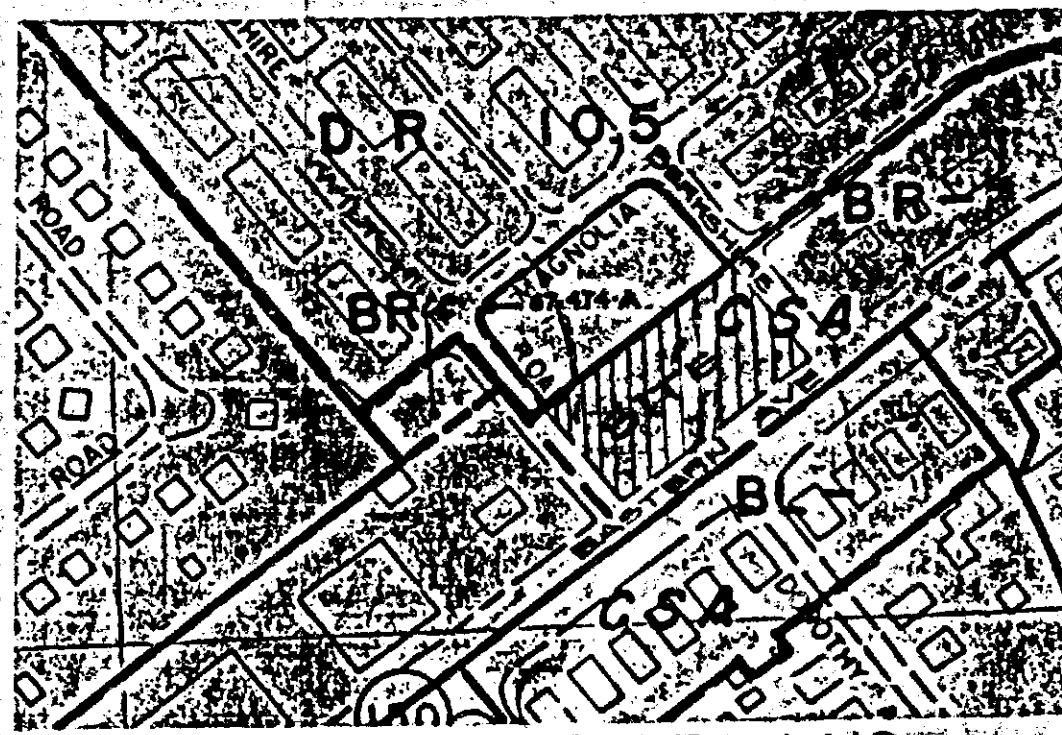
OWNER/APPLICANT
AMOCO OIL COMPANY
% CHARLES T. BOGDANOWICZ
14520 GREEN RD.
BALDWIN, MD. 21013
ACCT. N° 18-CO-012029
DEED REF. 610/148

REVISED PLAN

PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION
AMOCO OIL COMPANY
220 EASTERN AVENUE
ELECTION DISTRICT N° 15 BALTIMORE COUNTY, MD.
SCALE: 1" = 20'
DATE: JUNE 27, 1989



PLAN
SCALE: 1" = 20'



EXISTING TOWN HOUSES

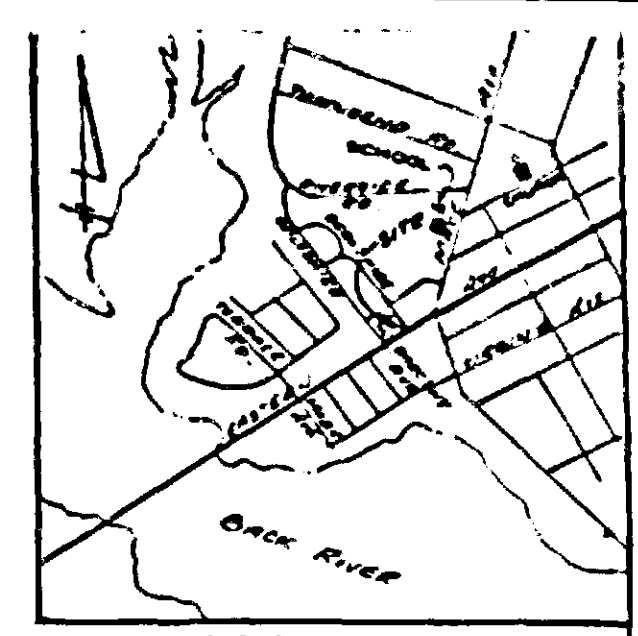
Landscape Requirements:
 Shrub planting 5' on center, min. 4' high within planting area adjacent to Wiltshire Road - Total 24 shrubs.
 Provide 12 major deciduous trees and 5 minor deciduous trees.
 Supplementary plants (shrubs and ground cover plants) to be provided as shown on the plan.

Landscape Summary:
 Planting shown is for quantity only.
 12 major deciduous trees.
 5 minor deciduous trees.
 (2 minor dec. trees = 1 major dec. tree)
 14 major deciduous trees required
 17 trees provided.
 Shrub screen planting and supplementary plants to be provided.

EXISTING TOWN HOUSES

LEGEND

- Major Deciduous Tree
- Evergreen Shrub
- Minor Deciduous Tree
- Waiting Car



GENERAL NOTES

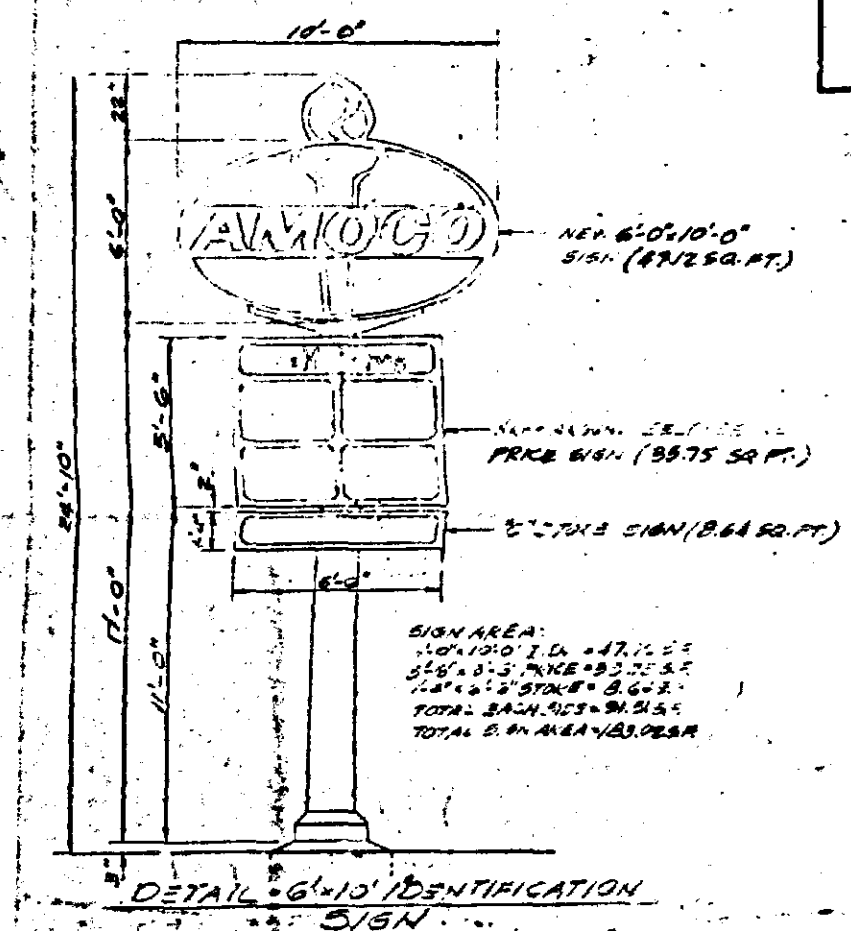
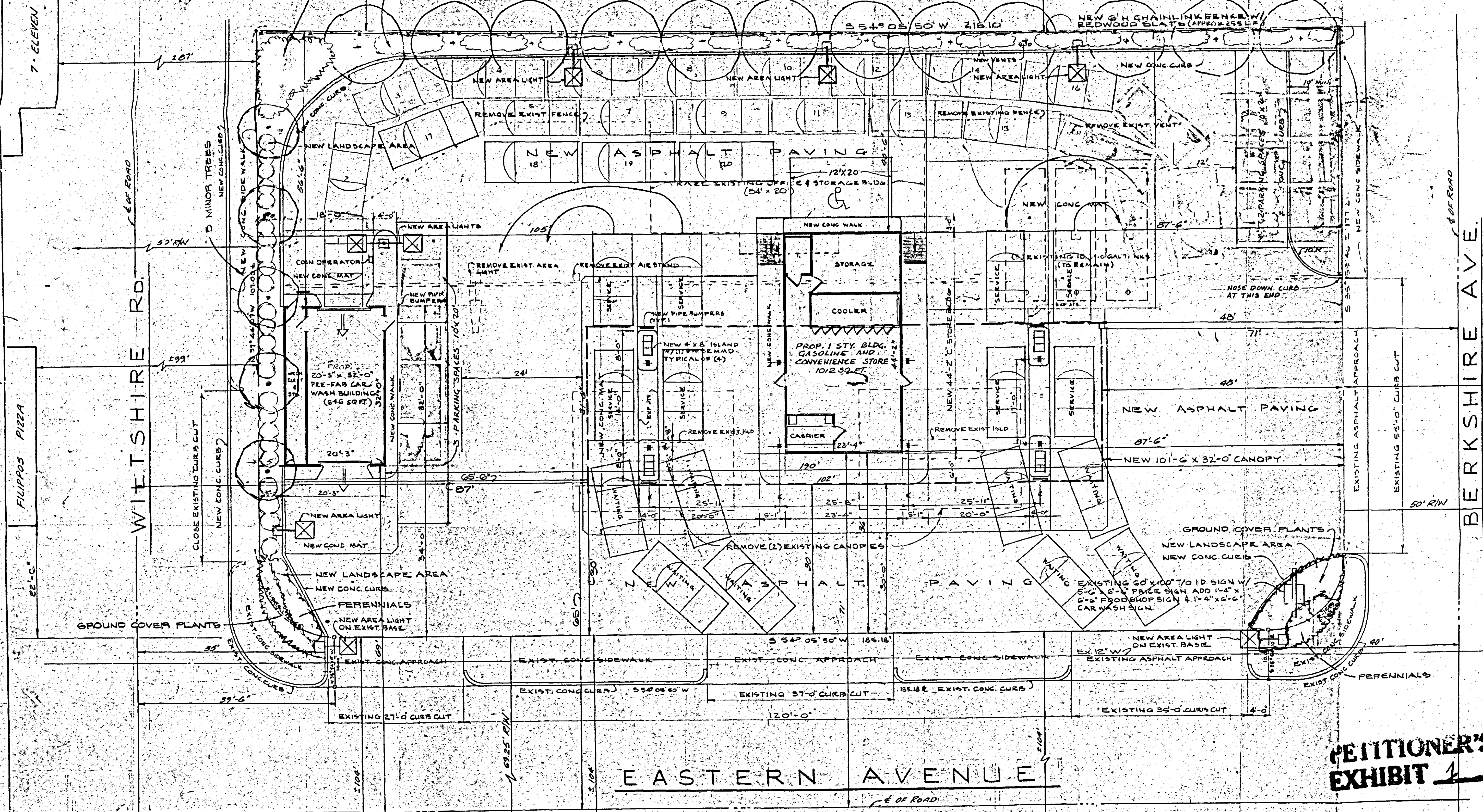
- 1) BEARINGS SHOWN ARE REFERRED TO THE TRUE MERIDIAN AS ESTABLISHED FOR THE BALTIMORE COUNTY METROPOLITAN DISTRICT.
- 2) ELEVATIONS ARE BASED ON BALTIMORE COUNTY DATUM. BENCH MARK X-2618 ELEV. 27.223 CUT 4' & SOUTH CURB EAST CORNER EASTERN AVE & RIVERSIDE DRIVE
- 3) AREA OF PROPERTY: 27,999 S.F. OR 0.6313 AC.
- 4) TITLE REFERENCE: AMOCO OIL COMPANY - 6101/48
- 5) EXISTING ZONING: BR - CSA
- 6) PROPOSED ZONING: BR - CSA WITH SPECIAL EXCEPTIONS FOR CONVENIENCE STORE
- 7) EXISTING USE: GASOLINE STATION
- 8) PROPOSED USE: GASOLINE STATION W/ CONVENIENCE STORE AND CAR WASH
- 9) ALL EXISTING STRUCTURES ON SITE TO BE RAZED
- 10) PROPOSED CAR WASH ON SITE WAITING PER SEC. 419.2 10 VEHICLES PROCESSED IN 1 HOUR 10 ADDITIONAL VEHICLES
- 11) OFF STREET PARKING: PARKING REQ'D. @ 1 SPACE/200 S.F. (10' x 200') = 5 TOTAL SPACES REQ'D. 5 TOTAL SPACES PROVIDED (INCLUDES 1 HANDICAPPED) = 6 ALL PARKING SPACES SHALL BE 10' x 20'. ALL PAVING SHALL BE BITUMINOUS CONCRETE SURFACE ALL CURB SHOWN ON SITE SHALL BE 6" H 18" WIDE CONC. SCREENING SHALL MEET THE REQUIREMENTS OF THE BALTIMORE COUNTY LANDSCAPE MANUAL.
- 12) LIGHTING SHALL BE A MAXIMUM OF 18' HIGH PERIMETER LIGHTS SHALL BE DIRECTED DOWNWARD AND ONTO SITE.
- 13) PREVIOUS SPECIAL EXCEPTION FOR SERVICE STATION CASE NUMBER: 3005 (12/14/1955)

FLIPPERS PIZZA

WILTSHIRE RD.

BERKSHIRE AVE.

STU WARD CAR DEALERSHIP

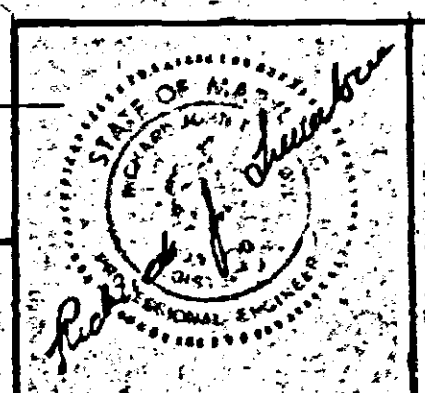


EASTERN AVENUE

PETITIONER'S EXHIBIT 1

LOT AREA REQUIREMENTS
 2 FUEL SPACES x 1500' = 12,000 S.F. (15,000 S.F. MIN.)
 10' STORE (582 S.F.) x 4' = 2,328 S.F.
 TOTAL SITE AREA REQ'D. = 17,328 S.F.
 SITE AREA PROVIDED = 27,400 S.F.
 MINIMUM SITE WIDTH REQ'D. = 130'
 ROAD FRONTAGE PROVIDED = 155'

EX. FIRE HYDRANT



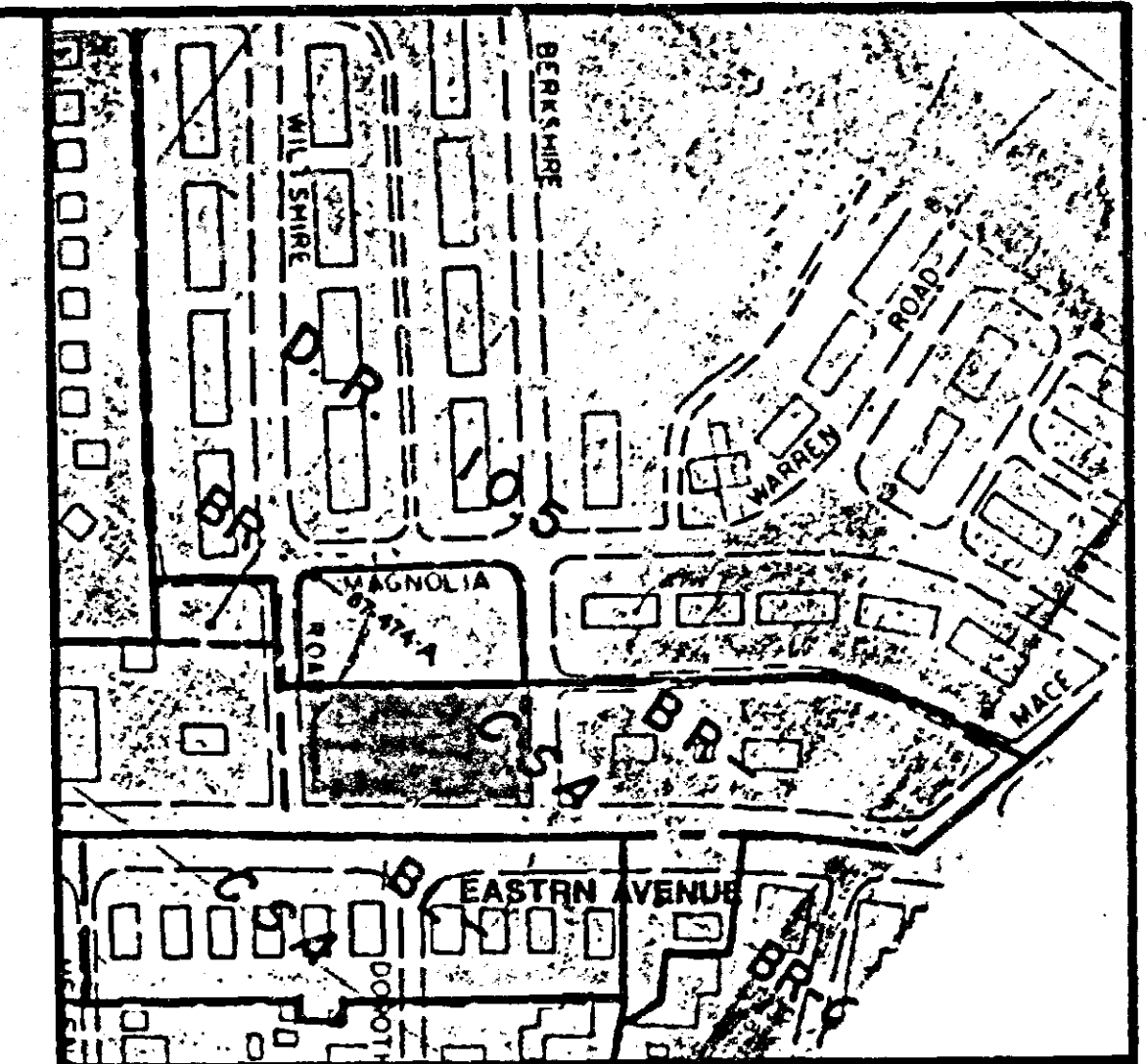
AMOCO OIL COMPANY
 PLAT TO ACCOMPANY PETITION FOR SPECIAL EXCEPTION
 220 EASTERN BOULEVARD
 15TH ELECTION DISTRICT
 BALTIMORE COUNTY, MARYLAND

PROPOSE PUMPER CAR WASH (REBUILD)			
220 EASTERN AVENUE ESSEX, MARYLAND (BAL. CO.)			
Scale: 1" = 10'-0"	Not enable frontage	District	
Drawn By: G.E.	Checked By:	Date: 3-28-87	No. SS-5161
Do not scale, use dimensions only			

Appellant No 1

LEGEND

- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED SPOT ELEVATION
- PROPOSED MACADAM PAVING
- PROPOSED CONCRETE PAVING
- EXISTING CONC. CURB & GUTTER
- PROPOSED CONC. CURB & GUTTER
- EXISTING BUILDING
- PROPOSED BUILDING
- PROPOSED CAR WASHING-CAR WASH
- PROPOSED CAR SERVICING
- PROPOSED CAR WASHING GASOLINE SALES
- PROPOSED CAR RISING
- PROPOSED STANDARD AMOCO AREA LIGHT
- APPROXIMATE LOCATION OF LANDSCAPING SHOWN FOR QUANTITY PURPOSES ONLY.
- PROBABLE TRAFFIC FLOW



LOCATION MAP
SCALE: 1" = 200'

GENERAL NOTES

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- 9) ALL EXISTING STRUCTURES ON SITE TO BE RAZED
- 10) LIGHTING SHALL BE A MAXIMUM OF 14' HIGH. PERIMETER LIGHTS SHALL BE DIRECTED DOWNWARD AND ONTO SITE.
- 11) PREVIOUS SPECIAL EXCEPTION FOR SERVICE STATION CASE NUMBER 3683 (12/14/1955)
- 12) CRD WAIVER W 88-159
- 13) F.A.R. 0.6 (MAX ALLOWED = 2.0)
- 14) PLANTING ALONG EASTERN AVENUE WILL BE CONSISTANT WITH THE ESSEX REVITALIZATION STREET SCAPE.
- 15) CAR WASH HOURS OF OPERATION WILL BE LIMITED TO BETWEEN 7 A.M. AND 10 P.M.

LANDSCAPE REQUIREMENTS

LINEAR FEET OF FRONTAGE	= 395
TREES REQUIRED @ 1/20 L.F.	= 20
ADDITIONAL TREES REQUIRED	= 20

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SETBACK REQUIREMENTS (405.4 - A.2)

MAIN BUILDING: FRONT: 35' FROM R/W, 60' FROM C.L.
REAR: 30'
CANOPY: 10' FROM R/W, 35' FROM C.L.
GASOLINE PUMP: 15' FROM R/W, 40' FROM C.L.
SIGN: 6' FROM R/W, 31' FROM C.L.
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CANOPY: PROPOSED 30' FROM R/W, 75' FROM C.L.
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SIGN: PROPOSED 14' FROM R/W, 79' FROM C.L.
A) SIDE YARD: CAR WASH 11.5' FROM R/W, 56.5' FROM C.L.
B) REAR YARD: 55'

CIRCULATION PROVIDED

10 FUEL SERVICING BAYS:	10 FUEL SERVICE SPACES
	10 FUEL WAITING SPACES
	20 FUEL SPACES TOTAL
CAR WASH 10 CARS PER/30 MIN.:	10 CAR WASH SPACES
	10 CAR WAITING SPACES
	20 CAR WASH SPACES TOTAL

- OFF-STREET PARKING
1. PARKING REQUIRED: GASOLINE STATION & 3 PER SERVICE BAY NO SERVICE BAYS: NONE REQUIRED
 - CAR WASH: NONE REQUIRED
 - "C" STORE: 1 PER 200 S.F. 15 REQUIRED (100 = 200)
 2. PARKING PROVIDED: 5
 3. MINIMUM PARKING SPACE: 8 1/2' X 18'
 4. ON-SITE CURB IS 6" H. X 8" W. CONCRETE
 5. ALL PAVED SURFACES ARE BITUMINOUS CONCRETE OR PORTLAND CEMENT CONCRETE.
 6. SCREENING SHALL MEET THE REQUIREMENTS OF THE BALTIMORE COUNTY LANDSCAPE MANUAL.

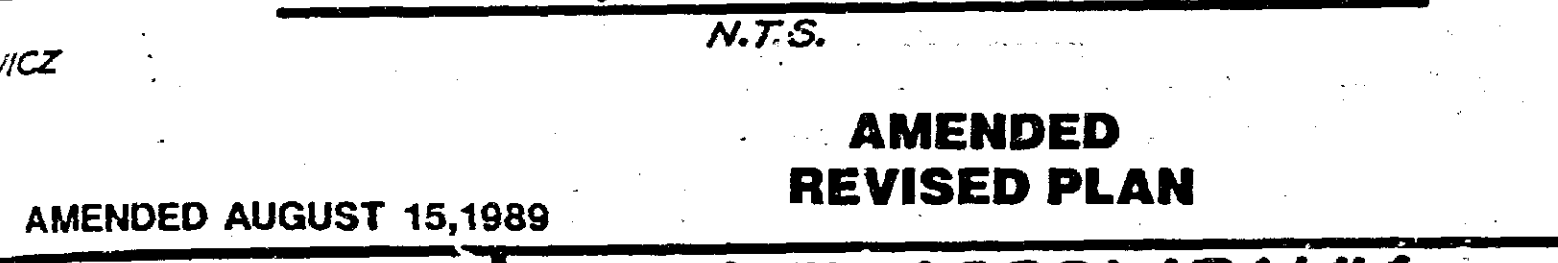
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8 FUEL SPACES X 1500' = 12,000 S.F. (15,000 S.F. MIN.)
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TOTAL SITE AREA REQ'D. = 17,333 S.F.
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OWNER/APPLICANT

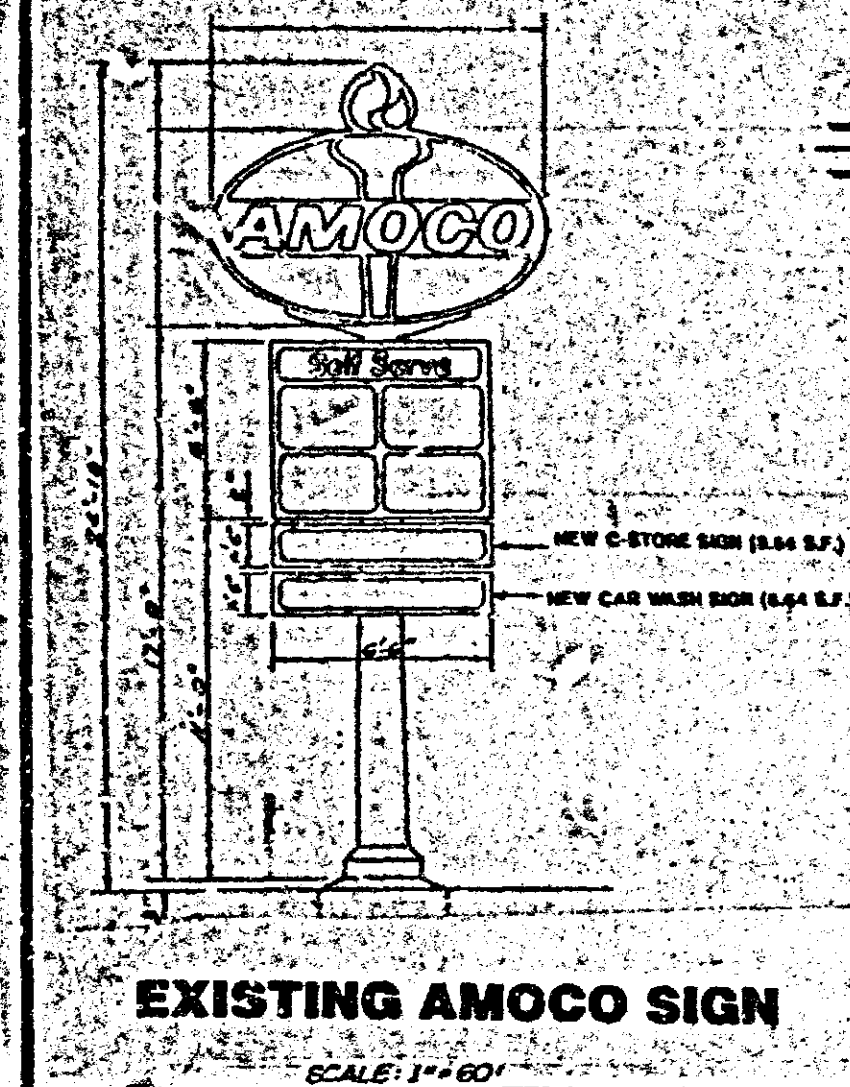
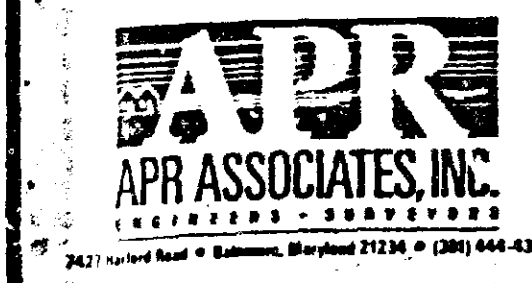
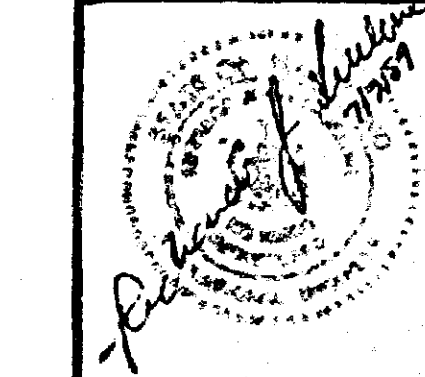
AMOCO OIL COMPANY
% CHARLES T. BOGDANOWICZ
14520 GREEN RD.
BALDWIN MD., 21013
ACCT. N° 18-00-012029
DEED REF. 6101/48

BUILDING & CAR WASH ELEVATIONS

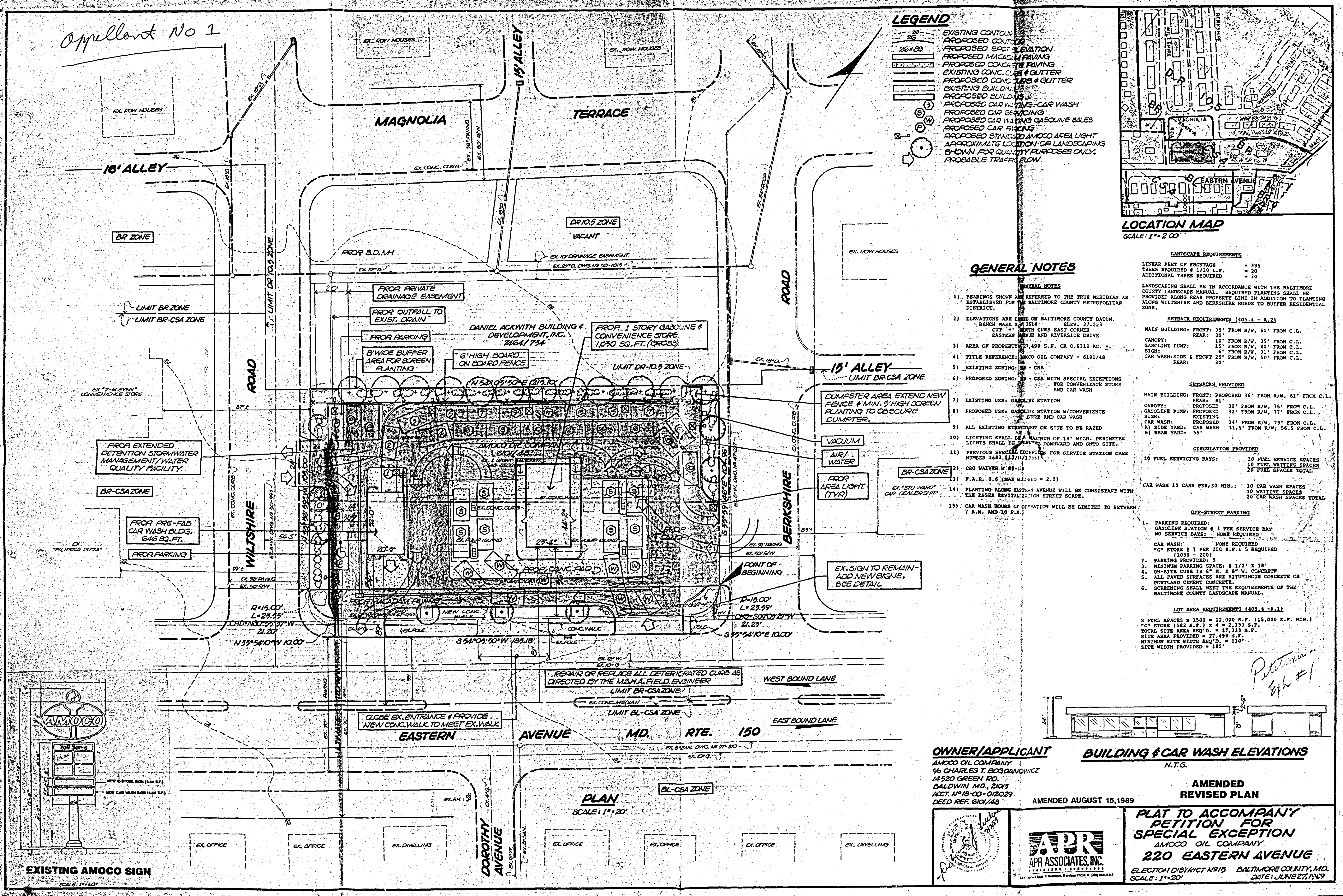


AMENDED REVISED PLAN

PLAT TO ACCOMPANY
PETITION FOR
SPECIAL EXCEPTION
AMOCO OIL COMPANY
220 EASTERN AVENUE
ELECTION DISTRICT N° 15 BALTIMORE COUNTY, MD.
SCALE: 1" = 20' DATE: JUNE 27, 1989



EXISTING AMOCO SIGN
SCALE: 1" = 80'



Mr. H. L. Dunklin - 900 Baltimore Ave. -
312 Brighton Road - Westfield, Mass.

PETITION FOR SPECIAL EXCEPTION
IN THE MATTER OF
HENRY W. WAGNER
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

For a Special Exception
To the Zoning Commissioner of Baltimore County
Henry W. Wagner Legal Owner
Contract Purchaser

hereby petition for a Special Exception, under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 877 of the Acts of the General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Exception to use the land (and improvements now or be erected thereon) hereinafter described for 2 Gas Line

Filling Station

All that parcel of land in the Fifteenth District of Baltimore County, on the northeast corner of Eastern and Wilshire Avenues; thence running westerly and binding on the north side of Eastern Avenue 237 feet to the west side of Berkshire Avenue; thence northerly and binding on the west side of Berkshire Avenue 100 feet; thence westerly 237 feet to the east side of Wilshire Avenue; thence southerly and binding on the east side of Wilshire Avenue 100 feet.

Extending to a depth of 100 feet

Spur Oil Co. of Md. Henry W. Wagner
Contract Purchaser Legal Owner

900 Baltimore Ave. Bldg.
Baltimore, Md.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 11-30-55
Post for Special Exception for a Gasoline Service Station
Petitioner Henry W. Wagner
Location of property W. B. corner Eastern & Wilshire Avenues, etc.
Location of Sign North West Corner Eastern and Wilshire Avenues
Remarks Henry W. Wagner
Posted by Henry W. Wagner Date of return 12-1-55

November 28, 1955

15th
NOTICE OF H. L. Dunklin, the son of Thirty Eight (38.00)
(38.00) Dollars, being out of petition for Special
Exception, advertising and posting property, northeast
corner of Eastern and Wilshire Avenues, 15th District,
Baltimore County, Maryland.

Zoning Commissioner of Baltimore County

RECEIVED
November 28, 1955
County Office Building
111 N. Calverton Avenue
Towson, Maryland

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF
HENRY W. WAGNER
BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

For a Special Exception
To the Zoning Commissioner of Baltimore County
Henry W. Wagner Legal Owner
Contract Purchaser

hereby petition for a Special Exception, under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 877 of the Acts of the General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

Fronting 215.20 feet on the North Side of
Eastern Ave.; bounded on the West by Wilshire
Ave.; on the East by Berkshire Ave.; and
extending to a depth of 100 feet from Eastern Ave.

Spur Oil Co. of Md. Henry W. Wagner
Contract Purchaser Legal Owner

900 Baltimore Ave. Bldg.
Baltimore, Md.

Certificate of Publication

ESSEX, MD., December 1st, 1955.
THIS IS TO CERTIFY, That the annexed advertisement was published in THE EASTERN ENTERPRISE, a weekly newspaper published in Essex, Baltimore County, Md., once in each of 2 successive weeks before the 15th day of December, 1955, the first publication appearing on the 23rd day of November, 1955.

THE EASTERN ENTERPRISE, INC.
Hubert G. Holden
Manager

NOTICE OF HEARING
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 24, 1988
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct 20, 1988.

THE JEFFERSONIAN.

Publisher

10691 page 48.75 off
PO 05215
Reg M2036X
Case # 89-176-XA

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

The Times

Middle River, Md., Oct 20 1988
This is to certify, that the annexed notice - PO # 0575-2
Reg M 12 991
was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 20th day of Oct, 1988
Jms from Publisher.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District 15th
Date of Posting 10/25/88
Posted for Charles Bogdanovich
Petitioner Charles Bogdanovich
Location of property NW/4 Eastern Ave. - NE Corner Wiltshire Rd. & Eastern Ave.
Location of Sign East side of Eastern Ave. between Wiltshire Rd. & Eastern Ave.
Remarks 15 ft. Wiltshire
Date of return 10/28/88
Number of Signs 3

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

Re: Petitions for Special Exception and Zoning Variances
CASE NUMBER: 89-176-XA
NW/4 Eastern Avenue, on NE Corner Wiltshire Rd. & Eastern Avenue
(220 Eastern Avenue)
15th Election District - 5th Councilmanic
Petitioner(s): Charles Bogdanovich
HEARING SCHEDULED: THURSDAY, NOVEMBER 10, 1988 at 11:00 a.m.
Dear Mr. Pokorny:

Please be advised that \$124.69 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 059004

DATE 11/10/88 ACCOUNT R-01-615-000

RECEIVED FROM Charles Bogdanovich AMOUNT \$ 124.69

FOR Posting and Advertising 11/10/88 hearing

8 805-*****059004

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
PETITION FOR VARIANCE
NW/4 Eastern Ave., on NE Corner Wiltshire Rd. & Eastern Ave.,
(220 Eastern Ave.), 15th Election Dist.; 5th Councilmanic Dist.
CHARLES BOGDANOVICH, Petitioner Case No. 89-176-XA

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 304, County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 25th day of October, 1988, a copy of the foregoing Entry of Appearance was mailed to Joseph K. Pokorny, Esquire, 408 Jefferson Bldg., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

October 4, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Exception and Zoning Variances
CASE NUMBER: 89-176-XA
NW/4 Eastern Avenue, on NE Corner Wiltshire Rd. & Eastern Avenue
(220 Eastern Avenue)
15th Election District - 5th Councilmanic
Petitioner(s): Charles Bogdanovich
HEARING SCHEDULED: THURSDAY, NOVEMBER 10, 1988 at 11:00 a.m.

Special Exception: A gasoline station with a convenience store facility and an in-bay car wash building. Variance to allow front yard average setbacks of 38 feet for the station building and convenience store in lieu of the required 38 feet and 34 feet for the car wash in lieu of the required 37 feet. Variance to allow a side yard setback of 5 feet from the car wash in lieu of the required 30 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:

IF PHASE II OF THE SHOW EMERGENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 6:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDULED FOR THURSDAY, DECEMBER 22, 1988. PLEASE TELEPHONE DOCKET CLERK AT 494-3351 TO CONFIRM DATE.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Joseph K. Pokorny, Esq.
File
Chesapeake Bay Critical Area Commission

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
TO: Zoning Commissioner

Date: November 9, 1988

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Charles Bogdanovich
Zoning Petition No. 89-176-XA

The applicant is requesting a special exception to allow for a gasoline station, car wash, and convenience store. In addition, several variances are being requested to locate the required buildings on this site. In reference to this request, staff provides the following information:

- A CRG review for this project will be required. The CRG should be held prior to the issuance of any variances.
- The site plan as shown raises concerns regarding the following:
 - an 8 foot landscape buffer yard is required between commercial and residential zones, the applicant is showing a 4-6 foot buffer. The provision of this buffer is critical; and
 - a 10 foot landscape buffer is required along Wiltshire, Berkshire and Eastern Avenues. The provision of these buffers should be required; and
- The applicant's parcel appears to be located within the Essex Revitalization Area. The County has spent considerable sums of money in upgrading the streetscape in this area and the applicant should provide streetscape improvements along Eastern Avenue; and
- the stacking of traffic within the project is creating movement problems and conflicts on the site; and
- water and air service should be maintained on the site; and
- the number of ingress and egress points is of concern to the department.

Based upon the analysis conducted and information provided, staff recommends that prior to any approvals of this project:

- the applicant work with the Department of Planning and Zoning to address the site design concerns noted; and
- in no case will required buffer yards be eliminated from the approved site plan; and
- a detailed landscape plan will be reviewed and approval by the County Landscape Planner prior to approval; and
- the requested variances and special exception shall only apply to the site plan as shown (use, size and location) as amended by the applicant and will not apply to the lot. The variances will not apply to any substantial deviation from the construction as shown.

PK/sf

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

October 4, 1988

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Exception and Zoning Variance
W/S Reisterstown Road, NW corner Reisterstown & Tobins Lane
(9604 Reisterstown Road)
3rd Election District - 3rd Councilmanic
Petitioner(s): Charles Bogdanovich
HEARING SCHEDULED: THURSDAY, NOVEMBER 10, 1988 at 11:00 a.m.

Special Exception: A gasoline station with a convenience store facility. Variance to allow a front setback of 2 1/2 feet from the property line and 13 feet 7 inches from the street centerline in lieu of the required 10 foot and 40 foot respectively and to allow a total sign square footage of 183.02 sq. ft. in lieu of the required 19,048 sq. ft.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:

IF PHASE II OF THE SHOW EMERGENCY PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 6:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RESCHEDULED FOR THURSDAY, DECEMBER 22, 1988. PLEASE TELEPHONE DOCKET CLERK AT 494-3351 TO CONFIRM DATE.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Joseph K. Pokorny, Esq.
File

IN THE MATTER OF
THE APPLICATION OF AMOCO OIL
COMPANY FOR SPECIAL EXCEPTION
AND ZONING VARIANCE - NW/4
EASTERN AVENUE AND WILTSHIRE ROAD
(220 EASTERN AVENUE) 15TH ELECTION
DISTRICT

CHARLES BOGDANOVICH

BEFORE THE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
CASE NO. 89-176-XA

NOTICE OF APPEAL

PLEASE NOTE AN APPEAL FROM YOUR DECISION IN THE ABOVE CAPTIONED MATTER, UNDER DATE OF DECEMBER 6, 1988 TO THE BOARD OF APPEALS FOR BALTIMORE COUNTY AND FORWARD ALL TRANSCRIPTS IN CONNECTION THEREWITH TO THE BOARD OF APPEALS FOR BALTIMORE COUNTY FOR A HEARING.

Joseph K. Pokorny
408 Jefferson Building
Towson, Maryland 21204
823-2000

I HEREBY CERTIFY THAT ON THIS 4TH DAY OF JANUARY, 1989, A COPY OF THE FOREGOING NOTICE OF APPEAL WAS MAILED TO THE ZONING COMMISSIONER FOR BALTIMORE COUNTY, J. ROBERT HAINES, ADMINISTRATION BUILDING, CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204, AND PHYLLIS COLE FRIEDMAN, PEOPLE'S COUNSEL FOR BALTIMORE COUNTY, COUNTY OFFICE BUILDING, TOWSON, MARYLAND 21204.

Joseph K. Pokorny
Joseph K. Pokorny

PAID
1-4-89 (a.c.w.)
ZONING OFFICE